Recommendation: It is recommended that the Committee considers the application, seeks clarification where it is required and considers the issues raised by objectors prior to the formal determination of this application at a future meeting of the Committee.
Ward: Tolworth and Hook Rise

Description of Proposal: Part detailed/ part outline application for a total of 950 residential dwellings and other uses comprising: 1) Detailed: Erection of 211 residential dwellings (Use Class C3) with associated ground floor uses including Class D1 (Nursery) and Community Uses; (Class A1/A3) Restaurant/Café and 60 car parking spaces, bus layover and driver facilities; landscaping and ancillary works; 2) Outline: Erection of 739 residential units (Use Class C3) with associated other ground floor uses (Class D1) Doctor Surgery; (Class A1) Retail; Cycle Hub and 328 car parking spaces.

Plan Type: Hybrid Application

Expiry Date: 14/03/2017

Summary Report

Proposed construction of a hybrid (part detailed, part outline) residential led regeneration of a vacant brownfield site consisting of 6 phases, 1 detailed and 5 outline. The application proposes a total of 950 units, a (Class D1) Nursery, a (Class D1) Community facility, a (Class D1) Doctors’ Surgery, a (Class A3) Café, a (Class A1) Retail unit, a cycle hub, bus layover, stop and driver facilities, 388 car parking spaces, enhanced cycle and pedestrian links along Hook Rise South and Kingston Road, an energy centre, associated landscaping and other ancillary works.

30 Letters of objection have been received.

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

- Principle of the Proposed Development
- Impact on the Character of the Area
- Quality of Accommodation
- Highways and Parking
- Sustainability
- Air Quality
- Metropolitan Open Land (MOL)

Key Standards Dashboard

<table>
<thead>
<tr>
<th>Planning Issue</th>
<th>Relevant Standard</th>
<th>Proposed</th>
<th>Is this Aspect in Accordance with the Development Plan?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density</td>
<td>170 u/ha</td>
<td>231.7 u/ha</td>
<td>No</td>
</tr>
<tr>
<td>Affordable housing</td>
<td>50%</td>
<td>13.18%</td>
<td>Yes, subject to a full viability test</td>
</tr>
<tr>
<td>Unit Mix</td>
<td>30% 3 beds</td>
<td>30% 3 beds</td>
<td>Yes</td>
</tr>
<tr>
<td>Car Parking Spaces</td>
<td>647 maximum</td>
<td>356</td>
<td>Yes</td>
</tr>
<tr>
<td>Cycle Parking Spaces</td>
<td>1,563 minimum</td>
<td>1,614 minimum</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Sustainability – C02

Zero Carbon

35% reduction
and a Carbon
Offset
Payment

Yes, subject to the
receipt of the Carbon
Offset payment

BASIC INFORMATION

National Planning Policy Framework (NPPF) 2012

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 1.1 Delivering the strategic vision and objectives for London
LP 2.6 Outer London: vision and strategy
LP 2.7 Outer London: economy
LP 2.8 Outer London: transport
LP 3.3 Increasing housing supply
LP 3.4 Optimising housing potential
LP 3.5 Quality and design of housing developments
LP 3.6 Children and young people’s play and informal recreation facilities
LP 3.7 Large residential developments
LP 3.8 Housing choice
LP 3.9 Mixed and balanced communities
LP 3.10 Definition of affordable housing
LP 3.11 Affordable housing targets
LP 3.12 Negotiating affordable housing on individual private residential
and mixed use schemes
LP 3.13 Affordable housing thresholds
LP 5.1 Climate change mitigation
LP 5.2 Minimising carbon dioxide emissions
LP 5.3 Sustainable design and construction
LP 5.4 Retrofitting
LP 5.5 Decentralised energy networks
LP 5.6 Decentralised energy in development proposals
LP 5.7 Renewable energy
LP 5.9 Overheating and cooling
LP 5.10 Urban greening
LP 5.11 Green roofs and development site environs
LP 5.12 Flood risk management
LP 5.13 Sustainable drainage
LP 5.14 Water quality and wastewater infrastructure
LP 5.15 Water use and supplies
LP 5.16 Waste self-sufficiency
LP 5.17 Waste capacity
LP 5.18 Construction, excavation and demolition waste
LP 6.1 Strategic approach
LP 6.2 Providing public transport capacity and safeguarding land for transport
LP 6.3 Assessing effects of development on transport capacity
LP 6.4 Enhancing London’s transport connectivity
LP 6.5 Funding Crossrail and other strategically important transport infrastructure
LP 6.7 Better streets and surface transport
LP 6.9 Cycling
LP 6.10 Walking
LP 6.11 Smoothing traffic flow and tackling congestion
LP 6.12 Road network capacity
LP 6.13 Parking
LP 7.1 Lifetime neighbourhoods
LP 7.2 An Inclusive environment
LP 7.3 Designing out crime
LP 7.4 Local character
LP 7.5 Public realm
LP 7.6 Architecture
LP 7.7 Location and design of tall and large buildings
LP 7.8 Heritage assets and archaeology
LP 7.14 Improving air quality
LP 7.15 Reducing and managing noise, improving and enhancing the acoustic environment
LDF KEY AREAS OF CHANGE

T1 Tolworth Key Area of Change
LDF CORE STRATEGY CORE POLICIES

CS 01 Climate Change Mitigation
CS 02 Climate Change Adaptation
CS 03 The Natural and Green Environment
CS 05 Reducing the Need to Travel
CS 06 Sustainable Travel
CS 07 Managing Vehicle Use
CS 08 Character, Heritage and Design
CS 09 Waste Reduction and Management
CS 10 Housing Delivery
CS 11 Economy and Employment
CS 13 Community Health Services
CS 14 Safer Communities
CS 16 Community Facilities
LDF CORE STRATEGY DEVELOPMENT MANAGEMENT

DM01 Sustainable Design and Construction Standards
DM02 Low Carbon Development
DM03 Designing for Changing Climate
DM04 Water Management and Flood Risk
DM05 Green Belt, Metropolitan Open Land (MOL) and Open Space Needs
DM08 Sustainable Transport for New Development
DM09 Managing Vehicle Use for New Development
DM10 Design Requirements for New Developments
DM11 Design Approach
Previous Relevant History

98/2039/OUT  Demolition of Toby Jug Public House and Government Offices for the erection of building for Class D2 Leisure, Class A3 food+drink, multi-plex cinema, FEC; restaurants, refurb of existing Bowl, new access, three storey car park for 600 spaces, 231 surface car parking spaces and associated landscaping  
Application  Withdrawn 02/03/2000

06/10260/OUT  Redevelopment to provide foodstore (8265sq m), A1/A2/A3/A4/D1 Community units (2105sq m) and 662 residential flats.  
Withdrawn 19/02/2007

08/10206/EIA  Request for EIA Screening and Scoping Opinion for an outline application – comprehensive mixed use redevelopment for residential, retail and community uses  
REQUIRED 17/10/2008

09/10030/OUT  Mixed use development comprising 562 dwellings & retail store (13,662 sq m) with 889 basement parking spaces, D1/D2/A3 Community/Leisure/Restaurant Use (2,581 sq m); remodelling of Tolworth roundabout with vehicular turning lanes, signals & associated highway works including new pedestrian/cycle routes and parking; sustainable energy systems and landscaping (hybrid app)  
Withdrawn 22/04/2009

11/10241/EIA  Request for EIA Screening Opinion for an application for redevelopment  
NOT REQUIRED 04/11/2011

12/10141/FUL  Hybrid application for a mixed use development including (Class C1) Hotel; (Class A1) Retail Store; (Class A3) Restaurant & Cafe; 231 parking spaces, bus layover & driver facilities; A3 pedestrian link; landscaping, ancillary works; 199 sqm (Class D1); Change of Use of ground floor units to  
Application Withdrawn 04/02/2014
Class A1/A3/D1; 269 Residential Units (Class C3); 199sqm D1 Floorspace.

14/10350/EIA1 Request for EIA Screening Opinion for an application for redevelopment
Not Required
15/01/2015

15/10074/OUT Outline application (means of access only) for 705 residential dwellings (Use Class C3) with associated other ground floor uses including class A1 (Convenience Retail Store)/ A3 (Cafe)/ D1 (Doctors Surgery)/ D2 (Day Nursery)/ B1 (Office) floorspace with associated car parking and a bus interchange.
Refused 04/08/2016, Appeal Lodged 20/10/2016

15/10078/FUL Use of the site for the storage of skips, storage units, machinery, plant and equipment.
Permit with conditions 11/11/2015

16/10434/EIA1 Request for EIA Screening Opinion for residential led development for approximately 950 residential units(Use Class C3) together with a mix of commercial units, public realm enhancements, open space (c.7,000sqm) and associated landscaping and car parking (the ‘Proposed Development’), on an area of land measuring 4.4 hectares (a) which was formerly occupied by Government Officer and Toby Jug Public House in Tolworth, Surrey (the ‘Site’)
Not Required 10/11/2016

Consultations

1. 2401 neighbouring properties have been consulted and the application was advertised by a site notice and a press notice.

2. 30 letters of objection from 29 residents and 1 from a combination of the Day Group, London Concrete and London United Busways have been received stating the following concerns:
   - Too tall;
   - Too dense;
   - Increase in traffic;
   - Not enough car parking;
   - Over development;
   - Over congestion of Tolworth roundabout;
   - Increase in air pollution;
   - Pressure on school places;
   - Overbearing;
   - Out of character with the surrounding area;
   - Unacceptable scale and massing;
   - VISSIM modelling incorrect;
   - Pressure on on-street parking of surrounding streets;
   - Impact on health;
Design too uniform;
Increased pressure on GP’s;
Increased pressure on hospitals;
Too many units;
No benefit to Tolworth or the local community;
Site should be used for leisure facilities, a cinema, restaurants or a shopping centre instead;
Increase flooding;
Should include housing for homeless people;
Lack of trains at Tolworth station;
Roads should be improved to take additional development;
Electricity supply should be improved to take additional development;
Water and drainage facilities should be improved to take additional development;
Loss of light to existing residents;
Increase in noise from the development;
Impact of the poor air quality on the residents of the development;
Timescale to build the phases is too long;
Lack of affordable housing;
Impact on traffic on Hook Rise South and ability for emergency services to access Hook Rise South;
Tower blocks are unwelcoming;
Access from Hook Rise South unacceptable;
281 extension is unnecessary and would cause delays to the service;
Traffic is also busy during the school run and hasn’t been taken into account;
Prejudice the ability of the Day Group Aggregates, London Concrete batching plant and London United bus depot to operate by way of the noise generated by the sites and potential complaints from new residential units; and
Noise assessment inaccurate.

3. Statutory and Non Statutory Consultation

**Environment Agency:** No comments to make.
**Health and Safety Executive:** No objection.
**Historic England GLAAS:** No objection, subject to conditions and informatives.
**London Fire Brigade:** No objection subject to the provision of an additional fire hydrant. This would be secured by way of a condition.
**Metropolitan Police:** Requested a 12sqm space within the development for welfare facilities for Metropolitan Police officers within Tolworth.
**Metropolitan Police Designing out Crime Officer:** No objection, subject to the application meeting BS5489:2013 – Lighting.
**Natural England:** No objection.
**Network Rail:** Stated that the proposed development would not have a detrimental impact on the capacity of Tolworth station or cause...
overcrowding on the trains using Tolworth station. However, they have expressed concern about the impacts of a residential development next to their Strategic Rail Freight terminus and have asked the LPA to ensure that measures are taken to ensure that their operations would not be adversely affected.

**Sport England:** Objects to the application not providing enough sporting facilities. However, Sport England have provided a calculation using Sport England’s Sports Facilities Calculator (SFC) which calculates the likely demand that will be generated by a development for certain types of facility. The SFC indicates that a potential population of 2,375 will generate a demand for:

- 0.12 swimming pools (£594,128);
- 0.17 sports halls (£496,032);
- 0.02 indoor bowls centres (£56,361); and
- 0.08 artificial grass pitches (£95,732 3G or £75,330 Sand).

**Thames Water:** No objection, subject to conditions and informatives.

**Transport for London (TfL):** No objection to the proposed level of car parking and trip generation from the development, subject to conditions, a S278 agreement and S106 contributions which include a £2.5 million contribution to a Strategic Highway Solution for Tolworth, a contribution to increasing the frequency of the route 281 bus, a contribution and infrastructure towards extending the route 281 bus service and other highways mitigation measures for the scheme.

**UK Power Networks:** No objection, subject to an informative.

**Epsom and Ewell Borough County Council:** No objection.

**Greater London Authority (GLA):** Stated support for the principle of the scheme, including the density. However, in the Stage I report, the following concerns were raised:

- A more ambitious architectural intent, is required for block E;
- 13.18% affordable housing level is unacceptable and need to be interrogated by a independent consultant;
- Children’s play space below the required level;
- 40% electric only car parking spaces required to resolve air quality issues; and
- Further energy information required to demonstrate the scheme meets the Mayor’s sustainability targets.

**Officer Comment:** These concerns are discussed in the main body of the report below. The applicant has made minor amendments to the scheme to attempt to address some of these concerns.

**London Borough of Merton (LBM):** No objection, subject to highways mitigation measures and additional bus services.

**Surrey County Council:** No objection.

**Achieving for Children:** Stated support for the application, subject to the provision of day nursery providing a year round facility, open for a minimum of 51 weeks Monday to Friday between at least 7.30am and 6.30pm.
Royal Borough of Kingston (RBK) Climate Change and Sustainability Officer: No objection to the proposed energy and sustainability levels of the buildings, subject to conditions and a Carbon Offset S106 payment.

RBK Environmental Health Officer: No objection, subject to conditions and infomatives.

RBK Flood Risk: No objection, subject to drainage and SUDS conditions.

RBK Neighbourhood Traffic Engineer: No objection to the proposed level of car parking, subject to conditions. However, concerns have been raised regarding the predicted queue lengths on Toby Way and the proposed 40% electric car only car parking spaces.

RBK Sport and Leisure: Requested a S106 contribution towards sports and leisure provision within the borough to accommodate the population growth from the development.

RBK Tree and Landscaping Officer: No objection, subject to conditions.

RBK Waste and Recycling: No objection, subject to conditions.

Chessington Residents Association: Objects to the applications density, lack of car parking spaces, impact of air and noise pollution on the site, increase in traffic, scale and massing.

Kingston Society: Objects to the application being out of character with the local area, poor design, poor quality of amenity space and too dense.

Site and Surroundings

4. The application site is 4.4 hectares in size and is located to the south-west of Tolworth roundabout, to the west of Kingston Road (A240) and to the south of Hook Rise South and the A3 trunk road. The application site is located approximately 35 metres north of Tolworth Railway Station and less than 100 metres south of Tolworth District Centre.

5. The proposal site was previously occupied by a series of uniform two storey, largely temporary, buildings which ran perpendicular to the A3. The proposal site once included a public house (now demolished) adjacent to the Charrington Bowl and the Marshall House office building (now demolished) adjacent to Tolworth railway station. The Charrington Bowl, a 1960s built bowling alley remains operational but outside the application site boundary. The proposal site is now unoccupied and has been vacant for over a decade. Permission was granted for a temporary 3 year consent under planning application reference 15/10078/FUL for the use of the land as Use Class B8 (Open Storage) on the 11th November 2015. The land has now been cleared.

6. The areas to the west of the site are characterised by 1930s/1940s residential development. Tolworth railway station is located on the south eastern tip of the site. Pedestrian access linking the site to the district centre and surrounding residential areas is via a network of subways and footbridge over the A3.
7. Tolworth District Centre lies immediately north of Tolworth roundabout, clearly landmarked by Tolworth Tower. The district centre comprises a mix of retail and service uses.

8. The site does not contain any listed buildings, is not located within a conservation area and is not within a Flood Risk Zone. It is designated as a Key Area of Change and a Housing Opportunity Area within the LDF Proposals Map (2012) and the site is adjacent to an Archaeological Priority Area. The site is located within 800 metres walking distance of a District Centre and is therefore classed as an urban setting.

Proposal

9. The planning application proposes a hybrid (part detailed, part outline) residential led regeneration of a vacant brownfield site consisting of 6 phases, 1 detailed and 5 outline. The application proposes a total of 950 units, a (Class D1) Nursery, a (Class D1) Community facility, a (Class D1) Doctors’ Surgery, a (Class A3) Café, a (Class A1) Retail unit, a cycle hub, bus layover, stop and driver facilities, 388 car parking spaces, enhanced cycle and pedestrian links along Hook Rise South and Kingston Road, an energy centre, associated landscaping and other ancillary works.

10. The phases would comprise of:

- **Phase 1**: Blocks D1, D2 and D3 comprising of a part 10, part 8, part 2 storey building with two single storey podiums;
- **Phase 2**: Blocks G1 and G2 comprising of two 10 storey buildings with three 2 storey high podiums;
- **Phase 3**: Blocks F1 and F2 comprising of two 8 storey buildings with three 2 storey high podiums;
- **Phase 4**: Blocks A1, A2, B1, B2, C1, C2 and C3 comprising of a part 2, part 4 storey building; a 5 storey building; a part 6, part 5, part 2 storey building with a single storey podium and a part 8, part 7, part 6, part 2 storey building with a two single storey podium respectively;
- **Phase 5**: Block H comprising of a 8 storey building; and
- **Phase 6**: Block E comprising of a part 8, part 6, part 1 storey building.

11. The detailed element (Phase 1) of the planning application consists of a part 10, part 8, part 2 storey building with two single storey podiums comprising of 211 residential dwellings (Class C3) with a ground floor Nursery (Class D1), Community Facility (Class D1), temporary energy centre and 60 car parking spaces; a Café (Class C3); a Bus layover, stop and driver facilities, landscaping, highways works to Hook Rise South, Toby Way, Kingston Road and Lansdowne Close and enhanced cycle and pedestrian links along Hook Rise South and Kingston Road.

12. The proposed part 10, part 8, part 2 storey building would comprise of
7 elements; a 10 storey block, two 8 storey blocks, two sets of three 2 storey mews houses and two single storey communal areas behind the mews house, in between the 10 and 8 storey blocks.

13. The proposed 10 storey element would be 17.3 metres in width, 54 metres in depth, 29.2 metres in height to the eaves and 34.6 metres in height.

14. The proposed 8 storey element would be 17.4 metres in width, 42.2 metres in depth, 22.6 metres in height to the eaves and 28.1 metres in height.

15. The proposed 2 storey blocks of mews houses would be 17.7 metres in width, 8.4 metres in depth and 6.8 metres in height to the parapet roofs.

16. The proposed single storey podium between the 10 storey and 8 storey block would be 17.7 metres in width, 22.7 metres in depth and 3.5 metres in height. The combined depth with the mews houses would be 31.1 metres.

17. The proposed single storey podium between the two 8 storey blocks would be 17.7 metres in width, 33.5 metres in depth and 3.5 metres in height. The combined depth with the mews houses would be 41.9 metres.

18. The combined width of the building would be 87.4 metres.

19. The proposed café would be 7.1 metres in width, 7.2 metres in depth and 4.4 metres in height to the roof.

20. The proposed bus stop would be 41.25 metres in width, 3.2 metres in depth, 2.6 metres in height to the rear pitch and 3.05 metres in height to the front pitch.

21. The proposed bus driver facilities would be 2.15 metres in width, 1.6 metres in depth and 2.6 metres in height.

22. The outline element (Phases 2-6) of the application would consist of 10 buildings of between 2 storeys and 10 storeys in height. The buildings would comprise of 739 residential units (Class C3) with a Doctors’ Surgery (Class D1), a Retail unit (Class A1), a site wide Energy Centre, a Cycle Hub, 328 car parking spaces, landscaping and enhanced cycle and pedestrian links along Hook Rise South.

23. The matters of Appearance and Landscaping are to be reserved with Means of Access, Layout, and Scale to be determined. The proposed maximum scale and height parameters of the outline buildings would be:

   - Block A1 would be a maximum 16 metres in depth, 19.5 metres in width and 23 metres in height for the 6 storey element; and a maximum of 19.5 metres in depth, 20 metres in width and 15.5
metres in height for the 4 storey element. The combined width would be a maximum of 39.5 metres.

- Block A2 would be a maximum of 30 metres in width, 19 metres in depth and 19 metres in height.
- Blocks B1 and B2 would be a maximum of 24 metres in depth, 18 metres in width and 7.5 metres in height for the single storey podium element; a maximum of 24 metres in depth, 17 metres in width and 20 metres in height for the 5 storey element; and a maximum of 27 metres in depth, 17 metres in width and 23 metres in height for the 6 storey element. The combined width would be a maximum of 52 metres.
- Blocks C1, C2 and C3 would be a maximum of 33 metres in depth, 18 metres in width and 7.5 metres in height for the single storey podium elements; a maximum of 33 metres in depth, 17 metres in width and 23 metres in height for the 6 storey element; a maximum of 32.5 metres in depth, 17 metres in width and 26 metres in height for the 7 storey element; and a maximum of 43 metres in depth, 17 metres in width and 29 metres in height for the 8 storey element. The combined width would be a maximum of 87 metres.
- Block E would be a maximum of 28 metres in depth, 7 metres in width and 4.5 metres in height for the single storey element; a maximum of 25 metres in depth, 29 metres in width and 23 metres in height for the 6 storey element; and a maximum of 32.5 metres in depth, 24 metres in width and 29 metres in height for the 8 storey element. The combined width would be a maximum of 60 metres.
- Block F1 and F2 would be a maximum of 33.5 metres in depth, 18 metres in width and 8 metres in height for the 2 storey podium elements; and a maximum of 33.5 metres in depth, 52 metres in width and 29 metres in height for the 8 storey elements. The combined width would be a maximum of 122 metres.
- Blocks G1 and G2 would be a maximum of 37 metres in depth, 18 metres in width and 8 metres in height for the 2 storey podium elements; and a maximum of 37 metres in depth, 52 metres in width and 35.5 metres in height for the 10 storey elements. The combined width would be a maximum of 122 metres.
- Block H would be a maximum of 29 metres in width, 18 metres in depth and 28.5 metres in height.

24. All of the blocks have an additional 2 metre area around them to allow for balconies or private amenity projections.

25. Residential vehicle access to the site will be via two access points on Hook Rise South. A new access road from Lansdowne Close to Toby Way is proposed, allow access to the existing Drayton Court Car Park, whilst allowing for the area of Lansdowne Close to the east of the car park entrance to become a one way eastbound bus only route.
Assessment

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

- Principle of Proposed Development
- Impact on Character of Area
- Quality of Accommodation
- Private and Communal Amenity Space
- Housing
- Impact on Neighbour’s Residential Amenity
- Highways and Parking
- Landscaping
- Legal Agreements
- Sustainability
- Other Material Considerations
  - Air Quality
  - Health Impacts
  - Education
  - Community Facility
  - Accessibility and Inclusion
  - Archaeology
  - Biodiversity
  - Contamination
  - Flooding and Surface Water Drainage
  - Refuse and Recycling
  - Metropolitan Open Land (MOL)
  - Cumulative Impact

Principle of Proposed Development

26. The proposal seeks to redevelop a vacant brownfield site for a residential led development with complementary retail, cafe, community and doctors’ facilities. The sites location adjacent to Tolworth Railway Station and adjacent to Tolworth District Centre is a sustainable location for development and accords with the National Planning Policy Framework (NPPF) to secure economic development and housing delivery wherever possible.

27. The site is identified within the Core Strategy as a ‘Key Area of Change’, specifically for housing, public realm and transport improvements. The site is also identified as a ‘Housing Opportunity Area’, a ‘Development Area’ and a ‘Gateway’ Any development on this site will need to be assessed against Policy T1 of the Core Strategy and whether it is delivering the type of development and infrastructure improvements required.

28. The Royal Borough of Kingston upon Thames Core Strategy (April 2012) sets out the vision for the area, specifically stating that:

  - Tolworth will be a vibrant and attractive centre as the role of the District Centre is strengthened and more competitive with a
diversified retail offer;

- Tolworth will be a more attractive place to live, work and visit with high quality new development and a high quality public realm; and

- There will be significant new housing development on the government offices, Toby Jug and Marshall House site to provide a range of new homes including houses with gardens, flats and affordable housing.

**Residential Use**

29. NPPF Paragraph 7 states that there are three dimensions to sustainable development: economic, social and environmental. The social role of the planning system should support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being. Paragraph 9 continues this theme, stating that sustainable development includes widening the choice of high quality homes.

30. NPPF Paragraph 17 encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

31. NPPF Paragraph 47 states that to boost significantly the supply of housing, local planning authorities should:

- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;

- Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

- Identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;

- For market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target; and
32. Policy 3.3 of the London Plan (March 2016) states that the Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford. Working with relevant partners, the Mayor will seek to ensure the housing need identified in paragraphs 3.16a and 3.16b of the London Plan (49,000 (2015-2036) and 62,000 (2015-2026)) is met particularly through provision consistent with at least an annual average of 42,000 net additional homes across London which will enhance the environment, improve housing choice and affordability and provide better quality accommodation for Londoners.

33. Table 3.1 (Annual average housing supply monitoring targets 2015 – 2025) of the London Plan requires the delivery of 6,434 dwellings within the plan period 2015-2025 and a rate of 643 dwellings per year within the Royal Borough of Kingston-upon-Thames, which is almost double the previous rate of 375 dwellings per year identified in the 2011 London Plan.

34. Core Strategy Policy CS10 (Housing Delivery) states that the Council will take full advantage of opportunities to deliver new housing and, in particular maximise the delivery of affordable housing. New housing should be delivered in the most sustainable locations, and with the associated infrastructure necessary to support it. Tolworth is one of the preferred locations for new housing, as are areas with the greatest Public Transport Accessibility Level (PTAL) and areas in need of improvement or renewal. The location is identified within Figure 20 (Key Housing Sites) as an indicative area of housing delivery. The Policy also states that the Council will seek to ensure that a broad mix of accommodation options are available to residents and that a range of local housing needs are met.

35. CS Policy T1 (Tolworth Key Area of Change) identifies this site as a ‘Housing Opportunity Area’. The site is therefore specifically identified as a site that is expected to contribute significantly to the delivery of housing across the Borough in accordance with London Plan targets. The provision of residential development on the site is therefore supported by the Council’s Development Plan.

36. CS Policy T1(f) (Housing and Affordability) states that the Council will work with developers and landowners to provide a range of new homes, in particular on the government offices, Toby Jug and Marshall House site to include family housing with gardens outside the district centre and higher density flats with amenity space within the District Centre.

37. In the appeal decision of the recently allowed (29th March 2017) Hotel Antoinette appeal (Inspectorate reference number: APP/Z5630/W/16/3143390), the Inspector concluded that Kingston does not have a 5 year housing land supply. Following this, the Council
has undertaken a full review of previous housing delivery together with the Borough’s 5 year housing land supply. It has now been demonstrated that Kingston does have a robust 5 year housing land supply. This will be published in the forthcoming Kingston 2015/2016 AMR (due to be published at the end of June). This was delayed because of the need to wait for the Planning Inspectors decision on the Hotel Antoinette appeal.

*Community Facility, Doctors’ Surgery and Nursery Use*

38. The development proposes three D1 uses on the site. A Children’s Day Nursery and a Community Space within the detailed Phase 1 and a Doctors’ Surgery within the Outline Phase 6. The development is also proposing a space within the development for welfare facilities for Metropolitan Police officers within Tolworth.

39. NPPF Paragraph 7 states that there are three dimensions to sustainable development: economic, social and environmental. The social role of the planning system should support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.

40. NPPF Paragraph 17 states that planning should take account of and support local strategies to improve health, social and cultural well being for all, and deliver sufficient community and cultural facilities and services to meet local needs.

41. NPPF Paragraph 70 states that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments and also ensure that an integrated approach to considering the location of housing, economic uses and community facilities and services is undertaken.

42. LP Policy 3.16 (Protection and Enhancement of Social Infrastructure) states that London requires additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population. The policy continues on to state that development proposals which provide high quality social infrastructure will be supported in light of local and strategic social infrastructure needs assessments.

43. The facilities should be accessible to all sections of the community (including disabled and older people) and be located within easy reach by walking, cycling and public transport. Wherever possible, the multiple use of premises should be encouraged.

44. Policy T1(k) of the Core Strategy states that the Council will investigate opportunities within the Tolworth Key Area of Change to provide
additional meeting space/space for classes, youth facilities, indoor leisure and recreation facilities (to address deficiencies in provision for badminton, squash, fitness and swimming) through:

- Adapting/improving existing facilities;
- Providing new facilities on development sites, e.g. former government offices, Jubilee Way site; and
- Co-locating facilities.

45. Policy CS16 (Community Facilities) states that the Council will support the provision of new facilities of appropriate size and scale in accessible locations, such as Kingston Town Centre, Surbiton, Tolworth and New Malden District Centres and Local Centres. The Council will also support the co-location of Council, healthcare, police facilities, library, school and voluntary sector facilities in accessible locations, where opportunities arise.

46. Furthermore, Policy DM24 (Protection and Provision of Community Facilities) of the LDF Core Strategy states that the Council will require new developments to contribute towards additional infrastructure requirements and community needs resulting from the development.

47. Policy T(i) states that the Council will investigate opportunities within the Tolworth Key Area of Change to work with local health providers to expand and improve GP provision which is at capacity and in need of upgrading through the provision of a new facility (for relocated practices), e.g. on the Toby Jug/government offices site and work with the Metropolitan Police and the private sector to secure the provision of a base for the Tolworth and Hook Rise police officers within or closer to its policing area, e.g. on or near to Tolworth Broadway.

48. Policy CS13 (Improving Community Health and Well-being) states that the Council and its local strategic health partners will seek to maximise the opportunities to improve public health outcomes through recreation and exercise and to facilitate the reorganisation, improvement and potential co-location of healthcare facilities and to ensure that they are in sustainable, accessible locations, including:

- Doctors’ (GP) premises to meet NHS standards regarding registered patient list sizes, giving priority to areas with health inequalities, under-provision or where existing premises are unable to meet increased demands resulting from new housing development as identified on Figure 23 (including Kingston/Norbiton, Berrylands, Chessington North/Tolworth, Coombe Hill). Potential sites include the former government offices/Toby Jug site and Tolworth Tower in Tolworth and Cocks Crescent in New Malden; and
- Dentistry practices and enhanced pharmacy and optical services in areas of poor provision, including Berrylands, Canbury, Tolworth and Coombe Hill in locations such as Local Centres, or within integrated healthcare facilities.
49. Policy DM21 (Health Impacts) continues this stating that the Council will:
   - Require Health Impact Assessments (HIAs) for all major developments;
   - Support proposals that promote health, safety and active living for all age groups, particularly in areas of health inequality;
   - Normally support proposals for new healthcare facilities where:
     - They will be located in an area of need and/or under-provision, they serve the needs of the local community and the accommodation to be provided is suitable for the needs of all its users, including carers and those with physical disabilities and other health impairments;
     - Adequate public transport is available from all parts of the catchment area and the facilities are well connected to footpath and cycle routes;
     - They will not adversely affect (or exacerbate existing adverse) traffic or environmental conditions or the amenities of residents in the area; and
     - They are co-located alongside other community facilities, including shops, schools, leisure facilities etc and/or provide an element of flexible accommodation that can be adapted and/or used to meet the wider needs of the community they serve.

50. The application site is identified in Figure 23 (Healthcare Facilities) as an area where GP Practices need to expand.

51. Whilst the proposed facilities are located outside the District Centre they are located immediately adjacent. Furthermore, Policy T1 identifies the site as a location for community facilities and specifically a health centre which is what is proposed as part of the development and would also ensure that the development mitigates against the impact on local health services as required by Policy DM24 of the Core Strategy whilst helping to reduce the under provision of healthcare facilities within Tolworth.

52. Policy T1 also states that the Council will work with the Metropolitan Police to secure the provision of a base for the Tolworth and Hook Rise police officers within or closer to its policing area, e.g. on or near to Tolworth Broadway. The application site is within an appropriate distance to Tolworth Broadway and will be able to accommodate this aspiration, as requested by the Metropolitan Police.

Retail and Café Use

53. The development proposes an A3 Café use within a standalone building in the main square of the detailed Phase 1 and an A1 Retail use within the Outline Phase 6.

54. The NPPF states under Paragraph 26 that when assessing applications for retail development outside of a town centre, which are not in accordance with an up-to-date Local Plan, local planning
authorities should require an impact assessment if the development is over 2,500 sqm. The proposed retail element is of a convenience store size with the proposed café only 49 sqm. Both of these uses would fall below 2,500 sqm threshold, ensuring that a Retail Impact Assessment is not required.

55. Policy DM 20 (New Retail Development) states that the Council will:

- Consider applications for new retail development in designated centres favourably, in order to meet identified future needs and ensure accessibility by sustainable transport; and
- Support the co-location of retail and community facilities in appropriate locations (see Policy CS16); and
- Ensure that any applications for new retail development are of an appropriate scale and have been planned positively in order to minimise any negative impacts on:
  - climate change
  - pollution
  - transport accessibility
  - design and character
  - the amenity of surrounding residents
  - current regeneration projects
  - local employment

56. Ensure that any applications for new retail development where relevant, demonstrate the application of the sequential approach and provide an impact assessment as outlined in national guidance.

57. The application proposes a convenience style store that would perform a neighbourhood function selling a basic range of goods. The proposed café would be a stand alone facility of 49 sqm serving takeaway drinks, with limited indoor seating. Both of these facilities are considered important to service the new community that would be created by the development of this site, and indeed the wider community.

Impact on Character of Area

58. Paragraph 17 of the NPPF argues that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

59. Paragraph 56 of the NPPF states that the government believes that good design is a key aspect of sustainable development and that it is indivisible from good planning as this should contribute positively to making places better for people. Objective 57 details the importance to plan positively for the achievement of high quality and inclusive design for all development, individual buildings and public and private spaces.

60. Paragraph 58 details that planning policies and decisions should aim to ensure that developments:

- 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.

- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
- Optimise the potential of the site to accommodate development, are visually attractive as a result of good architecture and appropriate landscaping.

61. Paragraph 63 details how when determining applications, significant weight should be given to outstanding or innovative designs, whilst Paragraph 64 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

62. Paragraph 65 states that Local Planning Authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits).

63. LP Policy 7.4 (Local Character) states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area’s visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.

64. LP Policy 7.6 (Architecture) outlines that the architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context. It also advises that buildings and structures should be of the highest architectural quality and comprise details and materials that complement, not necessarily replicate, the local architectural character.

65. LP Policy 7.7 (Tall Buildings) states that tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an unacceptably harmful impact on their surroundings. Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria below. This is particularly important if the site is not identified as a location for tall or large buildings in the borough’s LDF.

66. The policy continues that tall and large buildings should:
• Generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport;
• Only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building;
• Relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level;
• Individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London;
• Incorporate the highest standards of architecture and materials, including sustainable design and construction practices;
• Have ground floor activities that provide a positive relationship to the surrounding streets;
• Contribute to improving the permeability of the site and wider area, where possible;
• Incorporate publicly accessible areas on the upper floors, where appropriate; and
• Make a significant contribution to local regeneration.

67. Tall buildings:

• Should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference; and
• Should not impact on local or strategic views adversely.

68. The policy concludes that the impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings, registered historic parks and gardens, scheduled monuments, battlefields, the edge of the Green Belt or Metropolitan Open Land, World Heritage Sites or other areas designated by boroughs as being sensitive or inappropriate for tall buildings.

Density

69. LP Policy 3.3 (Increasing Housing Supply) states that the Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford. The Mayor will seek to ensure the housing need identified is met, particularly through provision consistent with at least an annual average of 42,000 net additional homes across London, which will enhance the environment, improve housing choice and affordability and provide better quality accommodation for Londoners.

70. The policy continues that boroughs should identify and seek to enable additional development capacity to be brought forward to supplement
these targets having regard to the other policies of this Plan and in particular the potential to realise brownfield housing capacity through the spatial structure it provides including; intensification, town centre renewal, especially centres with good public transport accessibility and mixed use redevelopment, especially of surplus commercial capacity and surplus public land, and particularly that with good transport accessibility.

71. The policy also states that boroughs should seek to achieve and exceed the relevant minimum borough annual average housing target in Table 3.1, if a target beyond 2025 is required, boroughs should roll forward and seek to exceed that in Table 3.1 until it is replaced by a revised London Plan target. Table 3.1 requires Kingston to deliver 6,434 dwellings within the plan period of 2015-2025, at a rate of 643 dwellings per year.

72. LP Policy 3.4 (Optimising Housing Potential) states that taking into account local context and character, design principles and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

73. However, paragraph 3.28 of the supporting text for this policy states that a rigorous appreciation of housing density is crucial to realising the optimum potential of sites, but it is only the start of planning housing development, not the end. It is not appropriate to apply Table 3.2 mechanistically. Its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential – local context, design and transport capacity are particularly important, as well as social infrastructure, open space and play.

74. CS Policy CS10 (Housing Delivery) provides clear guidance that the preferred locations for new housing at the greatest density within the Borough are Kingston Town Centre, the three District Centres (including Tolworth), areas with the highest PTAL and in areas in need of improvement or renewal. Figure 20 of the Core Strategy identifies an estimated capacity of 600 homes in and around Tolworth District Centre, citing the ‘Former Government Offices’ as a significant site within this location.

75. Further to the above, CS Policy T1 (Tolworth Key Area of Change) identifies this site as a ‘Housing Opportunity Area’. The site is therefore specifically identified as a site that is expected to contribute significantly to the delivery of housing across the Borough in accordance with London Plan targets.

76. Given the site is located within 800 metres walking distance of a district centre, next to a main arterial route and the height range of 2-4 storeys surrounding it, the development site is considered to be in an ‘Urban’ location. In applying the London Plan Density Matrix, given the site has a PTAL rating of 2/3, is in an ‘Urban’ location and has an average of
2.81 habitable rooms (hr) per unit, the appropriate density range for this site is between 70-170 u/ha.

77. The Mayors Housing SPG (March 2016) states in supporting paragraph 1.3.67 that the London Plan defines density in terms of net residential site area. This relates to the ‘red line’ planning application site boundary and excludes adjoining footways, carriageways, paths, rivers, canals, railway corridors and other existing open spaces. It includes the proposed homes, non-residential uses in mixed use buildings, ancillary uses, car and cycle parking areas and proposed internal access roads. It generally includes proposed on-site open spaces (including publicly accessible spaces), gardens and children’s play areas.

78. The development site has a net residential site area of 4.1ha resulting in a density of 231.7 u/ha, a density of 61.7 units per hectare above that stated in the London Plan for this location.

79. It is noted that CS Policy SB1 seeks to retain the established outer suburban character of the Neighbourhood it is a neighbourhood wide policy and not specific to this site. It is therefore considered that of more relevant is CS Policies T1 and CS10 which identify the site as a Housing Opportunity Area where significant contributions towards the delivery of housing should be sought which will in turn have a significantly different density to ensure compliance with current policy requirements to maximised densities especially in sustainable locations.

80. In addition, the supporting text for LP Policy 3.3 clearly states it is not appropriate to apply Table 3.2 mechanistically.

81. The Consultation Draft Direction of Travel for Kingston Consultation Document (June 2016) also states that In order to ensure growth does not have a negative effect on the success of London as a city and on its existing communities it is imperative that growth is planned for and supported by the necessary infrastructure. The document also states that the Outer London Commission (OLC) growth option scenario indicates that Outer London has more potential than Inner London to accommodate London’s housing needs. This is due to the large number of centres and district centres. Importantly, the OLC has made recommendations in respect of maximising density and the role of new transport infrastructure, including Crossrail 2, in unlocking new development opportunities. It also recommends a review of the Green Belt land.

82. Whilst it is recognised that the density would be well above the prevailing character of the surrounding area and also the London Plan density matrix, it should be noted that the site is located adjacent to the six lane A3 road, the dual carriageway A240 (Kingston Road) and Tolworth station. These three transport barriers are the interface with 3 of the four sides of the development with only the narrowest end of the
development adjoining existing residential properties, which is also the area where the lowest density is proposed. Given the unique characteristic of the location, the size of the development and with consideration to paragraph 65 of the NPPF, overall it is considered that the site could support increased densities without being detrimental to the character of the surrounding area as a whole, subject to other material considerations.

Site Layout and Heights

83. The proposed development would consist of 11 main buildings in 4 main typologies; Mansion Terrace (including the detailed phase 1), Mansion Block, Mansion Villa and Feature Buildings.

84. The design of these typologies has drawn inspiration from the late Victorian and Edwardian mansion blocks typical of west central London. Many of the finest examples being in Kensington and Chelsea (with further examples in Battersea, Putney and Barnes). While there are limited examples of this typology in Tolworth or immediate context, this building type is generally acknowledge as a successful example of building homes at medium-high density. In taking inspiration from these forms of buildings to deploy on contemporary buildings means the design team need to address issues which their historic precedents did not need to contend with; including space standards and provision of private and communal residential amenity for residents.

85. With regard to urban design and layout, mansion blocks typically have a height range of between 4-7 storeys and are laid out in perimeter blocks to form public streets and squares framed by front doors and active uses, with amenity and servicing space contained within the private areas to the rear of the block. Additionally, street and urban blocks are typically made up of a collection of buildings.

86. Traditionally buildings of this type are ornately detailed with contrasting bands of white or cream render and terracotta tile, as well as expressive modulation of facades typically with bay windows, expressed entrances and varied roofline with turrets, finials and gables.

87. The layout of the site has been submitted for determination, with a detailed first phase and parameter plans indicating the location of the blocks and the heights of the buildings. Images which indicate how the proposed outline element of the development could look from numerous views have also been provided.

88. The buildings are proposed to be formed either side of a central spine route which would provide two vehicular access points onto Hook Rise South. The central spine route would provide a pedestrian link between the western and eastern parts of the site allowing for access throughout the development and on to which the communal entrances for the blocks and the front doors from the ground floor flats would be located. The spine would connect the 3 public amenity areas with semi-private communal areas located on podiums between the buildings and within podium courtyards.
89. The different building typologies have been arranged either side of the central street, with the Mansion Terraces between the street and the A3/Hook Rise and Mansion Blocks located between the new street and the railway line. Each of these typologies are developed to respond to the particular challenges of their location. The Mansion Terrace buildings have been proposed to be perpendicular to the A3 to avoid creating the effect of a continuous wall of development along the A3. The Mansion Villa at the western end of the site would provide a visual transition between the semi-detached properties on Hook Rise South and the taller buildings within the site. This would create a gradual stepping up in heights on the site from 2 storeys next to the semi-detached properties at the western end of the site to 8 and 10 storeys by the Charrington bowl at the eastern end of the site with a part 6, part 8 storey Feature Building between the Charrington Bowl and Tolworth Roundabout.

90. The application proposes Mansion Blocks on the south east edge of the site, to provide height next to the railway line on the other side of the central spine route. A 5 storey building is proposed at the western end of the site with two 8 storey and two 10 storey mansion blocks facing into the site. An 8 storey Feature Building is proposed at the eastern end of the central spine route, between a 10 storey block and the pedestrian link to the station.

**Detailed Phase 1 and Mansion Terraces**

91. The development site is considered to be a standalone site and one that could develop its own style and character within Tolworth, given its size and different scale compared to the surrounding area. The development site, needs to have a clear and positive identity, and given its increased visual prominence, any proposed design needs to be of a suitably high quality.

92. The applicant has chosen to design the site using a mansion block typology, justifying this on the basis that this typology would help to address the housing need within Tolworth while providing a form of building that is in keeping with the existing housing types within the area in terms of building form and materiality. They have identified three mansion block styles to use across the site; Mansion Villa, Mansion Terrace and Mansion Block and have stating that it was historically used to integrate mid-rise apartment blocks into areas of London that required more housing while keeping the urban design principles of the area.

93. Whilst the mansion block style historically featured are often no more than 6 storeys in height, often with intricate brick and metal work detailing from top to bottom, full height bay windows, careful and interesting roof detailing and fenestration. The applicant has attempted to design a contemporary version of the mansion block.

94. Phase 1 and 4 of the proposed development would feature the ‘Mansion Terrace’ typology. This consists of two or three linear
buildings separated by a row of two storey mews houses fronting the central spine route with a single storey podium on top of a ground floor car park whilst providing communal amenity space on top. The edge of the podium side facing the Hook Rise South and the A3 would be fronted by a landscaped area incorporating a gabion wall to screen the car park from the A3 and provide a green edge top to the site.

95. The detailed phase 1 would feature a 10 storey block on the south western end of the building, an 8 storey block in the middle and an 8 storey block to the north east, next to the Charrington Bowl. The design of the blocks and the mews houses on block D phase 1 are expected to be replicated across blocks B and C in phase 4. Block B would feature a 5 storey block on the western end of the building with a 6 storey block to the east, with block C featuring a 6 storey block on the western end of the building, a 6 storey block in the middle and a 7 storey block to the east.

96. The application has designated these buildings as ‘Mansion Terraces’, described as “The Mansion Terrace are mid rise of 6 to 10 storeys providing a transition between along the A3 road elevation, creating a strong serrated edge when viewed by passers by.”

97. The phase 1 detailed 10 and 8 storey buildings would be large red brick buildings with a lighter red brick inset brick with bronze coloured metal windows, doors, balconies and double height dormers. White concrete banding is provide between the roof and the brick work to provide a clear distinction between the two elements. The buildings would have horizontal brick banding between each floor level along with brick quoin detailing on each corner facing into the site across the full height of the buildings, helping to provide interest for the full height of the buildings. The light bronze coloured anodized aluminium dormers would contrast sharply with the dark bronze coloured anodized aluminium mansard roof, complementing the red brick and increasing the reflectivity of the roof and helping reduce the perceived weight.

98. The buildings would feature a slender concrete band encompassing the ground and first floor windows for both the residential and commercial uses to add both a crisp detail to the building and tie the ground two floors of the Mansion Terraces with the ground and first floors of the Mews houses in between. The buildings would feature a basket weave brick detail, a contextual reference to both the buildings on Tolworth Broadway and the history of brick production in the area, between the first floor windows and the ground floor door and windows within the concrete band.

99. The communal entrances and windows above are proposed to be framed by a large bronze coloured anodized aluminium band rather than a white concrete band to distinguish the entrances from the rest of the ground floor elements. In addition the entrance itself is proposed to be recessed within the building with bronze coloured metal panelling within the recess and a thick bronze coloured metal band to surround the ground floor entrance itself to clearly define the entrance and
provide further detail.

100. The Mews houses in between the main blocks would be formed of a light coloured brick to contrast with the main Mansion Terraces. The Mews houses would be of a modern London vernacular with a parapet roof. The buildings would feature a slender concrete band encompassing the ground and first floor windows to add both a crisp detail to the building and tie the Mews houses with the ground and first floors of the Mansion Terraces. The buildings would feature horizontal brick banding to separate the top of the parapet roof from the concrete band with a basket weave brick between the ground and first floor windows within the concrete band. The entrance between the concrete bands is recessed to clearly define the entrance and provide further detail.

101. The Phase 1 Mews houses are proposed to use a light grey brick with bronze coloured metal windows, doors and Juliette balconies and a white coloured concrete surround. The Mews houses within the outline phases are expected to follow the standard set out within the detailed phase, albeit some design and colour variations may take place.

Feature Buildings

102. Phase 5 and 6 of the proposed development would feature an 8 storey building at the east end of the site next to the station and a part 6, part 8 storey building between the Charrington Bowl and Tolworth roundabout respectively. The application has designated these buildings as ‘Feature Buildings’, described as “Architecturally they are to be different from the rest of the buildings on the site as they create a landmark for the development. These two buildings rely less on the local brick vernacular and are proposed to utilise a more lightweight and glazed appearance.”

Mansion Blocks

103. Phase 2 and 3 of the proposed development would feature two pairs of buildings, a pair of 10 storey U shaped blocks with podium courtyards in the middle of each building and a podium communal area between the blocks and a pair of 8 storey U shaped blocks with podium courtyards in the middle of each building and a podium communal area between the blocks. These would form Phase 2 blocks F1 and F2 and Phase 3 blocks G1 and G2 respectively. The application has designated these buildings as ‘Mansion Blocks’, described as “The Mansion Blocks are the highest density typology of the mansion typologies, providing taller buildings along the railway line.”

104. The applicant has provided some indicative CGI’s of the buildings. The CGI’s demonstrate that the buildings would be materially similar to the Mansion Terraces, albeit with a greater mass and different form. The buildings would feature high levels of facade detail, a predominately brick finish, a double height mansard roof with double
and single height dormer projections to add interest and a U shaped form to provide concealed car parking and podium amenity area.

*Mansion Villas*

105. Phase 4 of the proposed development would feature a part 2 storey, part 4 storey building parallel to the A3 and a 4 storey building facing the western wing of block F1. The application has designated these buildings as 'Mansion Villas', described as “The Mansion Villas are lower rise than the other mansion block typologies, providing a transition between the adjacent semi-detached houses and the mid-rise apartment blocks.”

106. The Mansion Villas are proposed to be of a similar style to the Mansion Blocks and Mansion Terraces within the site with high levels of facade detail, a predominately brick finish, mansard style roof and roof projections to add interest.

107. The applicant has provided some indicative CGI’s of the buildings and whilst the CGI’s do not show buildings that are of an acceptable design, they do demonstrate that the buildings could be of a form that could provide a transition between the semi-detached properties and the main body of the development. Given that these buildings are in the outline phase of the development, the reserved matters application would deal with the design of these buildings. A Design Code would be required to be submitted and approved prior to the commencement of the outline phase 2.

*Detailed Phase 1 – Café*

108. The application proposes a pavilion style building at the entrance to the main square, adjacent to the proposed play area. The pavilion is proposed to hold a Class A3 café, with the size of the building indicating that the café would be for predominately takeaway drinks.

109. The café building is designed to be a modern and high quality single storey building.

110. The building would be a glass box with a concrete frame providing a back to the building which would continue along the floor next to the café, providing a clear and interesting entrance. A large timber structure in the style of a pergola with a turn to provide a sheltered area. The materials would be conditioned to ensure a high quality finish.

111. The overall finish of the building is of a high quality design that provides an interest and focal point to the main square and entrance to the site, improving the appearance of the main square and providing a sense of place.
Detailed Phase 1 – Bus Terminus

112. The proposed bus terminus would be located on Lansdowne Close. The terminus would consist of 41.5 metre a long bus shelter and a small driver facility facing the station car park, with its back turned to the boundary wall between Drayton Court and Dean Court and Lansdowne Close. A line of 6 trees would provide a green buffer between the bus shelter and the driver facilities and the boundary wall.

113. The bus stand would be of a modern design featuring centrally located brick pillars with a glass canopy extending over the pillars and the concrete seating in between the pillars. The stand would be a single structure, limiting street clutter and providing a cleaner design. The stand is designed to TfL standards and would have its materials conditioned.

114. The driver's facilities would be a small rectangular single storey building containing a toilet facility. The building would be wood panelled with a glass band at the top to allow light to penetrate the facility. The facility would be of a modern style, design to TfL standards and would tie in with the modern style of the bus stand and nearby café building.

Design Review Panel

115. The scheme has undergone a Design Review by an independent panel of experts to provide a professional critique of the scheme. It is important to note, that this review was undertaken at the pre-application stage and the comments are to be taken into account having regard to all other planning considerations.

116. The review was carried out by Design South East when the application was in the pre-application stage and although they have not commented on the current scheme, the proposal has not substantially changed. The Review Panel considered “In general, we support the architectural approach. Although sceptical about whether the mansion block does play the intermediate role suggested, we understand that this is a label to give these mid-rise blocks which is readily understood by anyone who knows a little about London. The idea of single-storey bottom, middle and single-storey top is a strong unifying theme through the development and could help it cope with subsequent phases potentially being designed by a different hand. In historic mansion blocks there is perhaps more variation between the three sections with bays coming out and back in, their tops sometimes becoming balconies. There was further work to be done on the patterning of materials on the elevations.”

117. “The site represents a significant gateway on the A3 approach to London, the serrated edge and stepping of the buildings seems an appropriate response to this but was little evidenced in the presentation. The mansards will be a strong feature for those viewing the development from the A3 and we are not totally convinced by what seems a pastiche of the historic precedent. We feel that the idea could
have been developed and abstracted more.”

118. The panel went on to say the following regarding heights: “We understand and regret that the higher elements of the previous scheme have been reduced… The ability to include taller blocks would have allowed more flexibility and generosity in the rest of the development. In general, we would like to see more variation in the heights across the site to give more individual character to the blocks.”

Quality of Accommodation

Internal Space Standards

119. The Housing Standards Minor Alterations to the London Plan (March 2016), sets clear internal minimum space standards for new dwellings. The space standards are intended to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures while policy guidance 28 of the Residential SPD and policy DM13 of the Core strategy state that in order to ensure that the housing delivered is of high quality and the most appropriate type, the Council will expect proposals for new residential development to accord with the principles of good design, as set out in Policies CS8 and DM10 and the Residential Design SPD, including the provision of appropriate amenity space and play space provision.

120. The Nationally Described Space Standards, introduced by DCLG in March 2015, sets clear internal minimum space standards for bedrooms within new dwellings of 7.5 m2 for single bedroom and 11.5 m2 for a double bedroom. All new units should be designed in accordance with the National Space Standards and the London Plan.

121. The application is proposing 950 units, comprising 211 units in the detailed phase 1 and 739 units in the outline phases. The 211 units would comprise of 78 one bedroom units, 116 two bedroom units and 17 three bedroom units.

122. The units would be split into:

- 78 x 1 bedroom, 2 person;
- 48 x 2 bedroom, 3 person;
- 53 x 2 bedroom, 4 person;
- 8 x 2 bedroom, 4 person, 2 storey; and
- 24 x 3 bedroom, 5 person.

123. All 211 units would meet the minimum internal bedroom sizes as required by the London Plan and would also meet the minimum internal GIA standards of the National Space Standards below:

- 50 sqm for a 1 bedroom, 2 person;
- 61 sqm for a 2 bedroom, 3 person;
- 70 sqm for a 2 bedroom, 4 person;
- 79 sqm for a 2 bedroom, 4 person, 2 storey; and
- 86 sqm for a 3 bedroom, 5 person.

124. The applicant has not demonstrated that the outline elements of the development would meet the minimum space standards however, this issue would be dealt with in each reserved matters application.

Access and Cores

125. The Mayor’s Housing SPG (March 2016) states in Standard 12 that each core within a residential block should be accessible to generally no more than eight units on each floor.

126. Housing SPG Standard 13 states that an access core serving 4 or more dwellings should provide an access control system with entry phones in all dwellings linked to a main front door with electronic lock release. Unless a 24 hour concierge is provided, additional security measures including audio-visual verification to the access control system should be provided where any of the following apply:

- More than 25 dwellings are served by one core; or
- The potential occupancy of the dwellings served by one core exceeds 100 bed spaces; or
- More than 8 dwellings are provided per floor.

127. Housing SPG Standard 14 states that where dwellings are accessed via an internal corridor, the corridor should receive natural light and adequate ventilation where possible.

128. Housing SPG Standard 15 states that all dwellings entered at the seventh floor (eighth storey) and above should be served by at least two lifts.

129. Housing SPG Standard 16 states that it is desirable that every wheelchair user dwelling is served by more than one lift.

130. Parts D2 and D3 would be 8 stories in height with part D1 10 stories in height. Whilst all 3 blocks would feature 2 lifts, Block D1 would feature 10 units per core for its entire height, with block D3 featuring 9 units per core for its entire height.

131. Although the guidance states that more than 8 units per core is generally unacceptable, the proposed cores within the detailed phases would feature 2 lifts in the middle of the corridor resulting in a sufficient walking distance between the furthest unit and the core. It would also ensure a maximum of 5 units sharing each corridor. The central location of the core within the corridors, along with the allowance for some natural light to penetrate the core area ensures that, in this example, the amount of units per core within phase 1 is considered to be acceptable.

132. A condition would be required to ensure that only phase 1
features more than 8 units per core.

**Overheating**

133. LP Policy 5.3 (Sustainable Design and Construction) states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process.

134. The policy continues that major development proposals should meet the minimum standards outlined in the Mayor’s supplementary planning guidance and this should be clearly demonstrated within a design and access statement. The standards include measures to achieve other policies in this Plan and the following sustainable design principles including:

- Avoiding internal overheating and contributing to the urban heat island effect; and
- Ensuring developments are comfortable and secure for users, including avoiding the creation of adverse local climatic conditions

135. LP Policy 5.9 (Overheating and Cooling) states that the Mayor encourages the design of places and spaces to avoid overheating and excessive heat generation. Major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the following cooling hierarchy:

1) Minimise internal heat generation through energy efficient design;
2) Reduce the amount of heat entering a building in summer through;
3) orientation, shading, albedo, fenestration, insulation and green;
4) roofs and walls;
5) Manage the heat within the building through exposed internal thermal mass and high ceilings;
6) Passive ventilation;
7) Mechanical ventilation; and finally
8) Active cooling systems (ensuring they are the lowest carbon options).

136. The policy continues that major development proposals should demonstrate how the design, materials, construction and operation of the development would minimise overheating and also meet its cooling needs. New development in London should also be designed to avoid the need for energy intensive air conditioning systems as much as possible.
The Mayor's Sustainable Design & Construction SPG (April 2014) section 3.2 (Tackling Increased Temperature And Drought) states that overheating is one of the Mayors priorities and that developers should include measures, in the design of their schemes, in line with the cooling hierarchy set out in London Plan policy 5.9 to prevent overheating over the scheme’s lifetime.

Supporting paragraph 3.2.2 states that Section 2.3 sets out how larger developments can influence their local environment and contribute to the urban heat island effect. Overheating within buildings can result from either too much heat entering a building and not being released or too much heat being generated within a building and not being released. Just like being too cold, overheating can result in discomfort for occupiers, poor productivity and health concerns. Therefore, if the internal environment becomes too hot it is likely occupiers will try to find a way to cool their environment. In order to continue minimising carbon dioxide emissions it is important designers consider the internal comfort required by occupiers at the design stage and that this comfort level is met through implementing the cooling hierarchy set out in London Plan Policy.

Policy DM 10 (Design Requirements for New Developments) states that development proposals should have regard to the amenities of occupants.

In accordance to the GLA’s Energy Planning document (April 2015), an overheating modelling report was submitted with the application in their Energy Strategy. The CIBSE (The Chartered Institution of Building Services Engineers) TM59 standard tests the following two criteria:

- For living rooms, kitchens and bedrooms: the number of hours during which the temperature is greater than or equal to one degree above 26°C during the period May to September inclusive shall not be more than 3 percent of occupied hours. (CIBSE TM52 Criterion 1: Hours of exceedance).
- (b) For bedrooms only: to guarantee comfort during the sleeping hours the operative temperature in the bedroom from 10 pm to 7 am shall not exceed 26 °C for more than 1% of annual hours. (Note: 1% of the annual hours between 22:00 and 07:00 for bedrooms is 32 hours, so 33 or more hours above 26 °C will be recorded as a fail).

Occupied hours are calculated at 8 hours a day, 6am-9am and 5pm-10pm between May and September. A total of 153 days with 1,224 occupied hours.

The daily weighted exceedance, is calculated by multiplying the amount of degree hours (occupied hours) (6am-9am and 5pm-10pm) by the amount the hour exceeds the maximum acceptable temperature. For example if 7 degree hours registered a temperature of 29°C in the living room in any one day between May and September, then the daily weighted exceedance would be breached.
142. For a new unit to be considered acceptable in terms of overheating, both of the above parameters must be passed.

143. The overheating report has modelled five units, four flats and one townhouse. The units have been identified, in accordance with the TM59 methodology, as the dwellings with the highest risk of overheating due to the following characteristics:

a) southeast and southwest orientation;
b) single aspect;
c) topmost floors;
d) high ratio of southerly facing glazing; and
e) limited external shading opportunities.

144. Although, the townhouse has less risk of overheating than the flats, it has been selected to illustrate its performance due to its location, being on the ground floor, and therefore there is a limitation of opening the windows overnight for security reasons, and limited external shading to its southeast facade.

145. As demonstrated by the table below, 2 units fail to meet both of the parameters.

<table>
<thead>
<tr>
<th>Room</th>
<th>TM52 (DSY1 2020 High 50)</th>
<th>CIBSE Guido A</th>
<th>Overall Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Criteria 1 (a)</td>
<td>Criteria (b)</td>
<td>% Hours of Exceedance</td>
</tr>
<tr>
<td>Target</td>
<td>3</td>
<td>32</td>
<td></td>
</tr>
<tr>
<td>Dwelling 1 - 00 - Living/Kitchen</td>
<td>2.1</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Dwelling 1 - 01 - Double Bedroom 1</td>
<td>1.4</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Dwelling 1 - 01 - Double Bedroom 2</td>
<td>1.1</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>Dwelling 2 - 06 - Living/Kitchen</td>
<td>2.6</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Dwelling 2 - 06 - Double Bedroom</td>
<td>0.9</td>
<td>16</td>
<td></td>
</tr>
<tr>
<td>Dwelling 3 - 06 - Living/Kitchen</td>
<td>2.8</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Dwelling 3 - 06 - Double Bedroom</td>
<td>1.0</td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>Dwelling 3 - 06 - Single Bedroom</td>
<td>1.2</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Dwelling 4 - 06 - Living/Kitchen</td>
<td>3.5</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Dwelling 4 - 06 - Double Bedroom</td>
<td>1.2</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Dwelling 4 - 06 - Single Bedroom</td>
<td>1.0</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Dwelling 5 - 09 - Living/Kitchen</td>
<td>3.1</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Dwelling 5 - 09 - Single Bedroom</td>
<td>2.4</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>Dwelling 5 - 09 - Double Bedroom 1</td>
<td>0.7</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Dwelling 5 - 09 - Double Bedroom 2</td>
<td>1.1</td>
<td>21</td>
<td></td>
</tr>
</tbody>
</table>

146. It can be concluded that Dwellings 1, 2 and 3 are passing the TM59 overheating criteria. Dwellings 4 and 5 are exceeding the criteria by a small margin, 0.5% and 0.1% respectively.

147. The building design and building services design have maximised all available measures to minimise heat generation within the dwellings, to reduce the amount of heat entering the building, and to passively and mechanically ventilate the dwellings in line with the cooling hierarchy in Policy 5.9 of the London Plan.
148. The reasons these dwellings do not perform as well are the following: Dwelling 4 has a dual aspect southeast and southwest façade orientation and a lack of external shading to the living / kitchen glazed elements. Dwelling 5 has a single aspect southwest façade orientation located at the topmost floor within Block D1.

149. The level of overheating shown within the detailed phase 1 is considered to be minimal within the units most at risk of overheating. The overheating assessment demonstrates that the units within the detailed phase 1 would generally meet the standards set out in TM59, with the level of exceedance of the criteria that two of the units fail to meet considered to minor. The proposed development is considered to be acceptable in overheating terms.

Air Pollution

150. The Air Quality Assessment demonstrates that in terms of the impact of existing and new sources on the development itself, all residential dwellings within the proposed buildings adjacent to the A3 will experience nitrogen dioxide concentrations above the objective at ground, first and second floor levels.

151. This can be resolved with mitigation measures in the form of mechanical ventilation. The ventilation system would draw clean air from an inlet located away from any nearby emissions sources, e.g. road traffic and boiler flues. Air drawn from above the third floor of the Proposed Development should be acceptable, as concentrations will be below the objective at these levels.

152. Subject to a condition on mechanical ventilation, the air quality for the residential dwellings within the detailed phase 1 would be considered to be acceptable.

153. The air quality of the outline units adjacent to the A3 and also those adjacent to the industrial uses to the south east could be maintained to an acceptable level by installing similar mechanical ventilation as proposed in the detailed phase 1. This would be dealt with in each of the respective reserved matters applications.

154. The Environmental Health officers have considered the impacts of the poor air quality around the site to the residents using the outdoor locations. Locations are only considered where people are likely to spend 1 hour or more at an outdoor location. At these locations, the air quality could not be able to exceed the hourly limit. The hourly average is predicted to be exceeded if the annual average is greater than 60ug/m3. Although the receptor locations that have been modelled in the assessment are the facades of buildings, these clearly show the drop off in concentrations with distance from the road. The public areas are set further back from the road and the predicted concentrations at ground floor locations on the north-east side of the development will be comparable to those in the public areas.
It is therefore considered that the exposure to poor air quality by future receptors is unlikely to be an issue within the areas of public realm where people are likely to spend 1 hour or more.

Sunlight and Daylight

LP Policy 3.5 (Quality and Design of Housing Developments) state that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in this Plan to protect and enhance London’s residential environment and attractiveness as a place to live.

The Mayor’s Housing SPG Standard 32 states that all homes should provide for direct sunlight to enter at least one habitable room for part of the day. Living areas and kitchen dining spaces should preferably receive direct sunlight.

Housing SPG supporting paragraph 2.3.35 states that natural light is vital to a sense of wellbeing in the home, and this may be restricted in densely developed parts of the city. The Mayor seeks to encourage the kind of housing that provides comfortable and enjoyable places of retreat and privacy. Factors to be considered include privacy, the importance of dual aspect development, noise mitigation, floor to ceiling heights, daylight and sunlight.

Housing SPG supporting paragraph 2.3.46 states that where direct sunlight cannot be achieved in line with Standard 32, developers should demonstrate how the daylight standards proposed within a scheme and individual units will achieve good amenity for residents. They should also demonstrate how the design has sought to optimise the amount of daylight and amenity available to residents, for example, through the design, colour and landscaping of surrounding buildings and spaces within a development.

Housing SPG supporting paragraph 2.3.47 states that BRE guidelines on assessing daylight and sunlight should be applied sensitively to higher density development in London, particularly in central and urban settings, recognising the London Plan’s strategic approach to optimise housing output (Policy 3.4) and the need to accommodate additional housing supply in locations with good accessibility suitable for higher density development (Policy 3.3). Quantitative standards on daylight and sunlight should not be applied rigidly, without carefully considering the location and context and standards experienced in broadly comparable housing typologies in London.

Housing SPG Standard 29 states that developments should minimise the number of single aspect dwellings. Single aspect dwellings that are north facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided.
162. CS Policy DM10 states that development proposals should have regard to the amenities of occupants, including in terms of privacy, outlook, sunlight/daylight, avoidance of visual intrusion and noise and disturbance.

163. CS Policy DM13 (Housing Quality and Mix) states that in order to ensure that the housing delivered is of high quality and the most appropriate type, the Council will expect proposals for new residential development to accord with the principles of good design, as set out in Policies CS8-DM11 and the Residential Design SPD.

164. The methodology and criteria used for the assessment of daylight & sunlight is provided by the Building Research Establishments guidance ‘Site layout planning for daylight and sunlight: a guide to good practice’ (BRE, 2011) and the British Standard document BS8206 Pt2. The BRE guide provides advice on site layout planning to achieve good sunlighing and daylighting within buildings, and in the open spaces between them. It is intended to be used in conjunction with the interior daylight recommendations in the British Standard (BS) 8206 Part 2.

165. The BRE guidelines state that when assessing the potential effects on surrounding properties, only those windows and rooms that have a ‘reasonable expectation’ of daylight and sunlight need to be considered. Paragraph 2.2.2 of the guidelines clarifies what are considered sensitive receptors with a ‘reasonable expectation’ of daylight and sunlight as follows:

“The guidelines given here are intended for use for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas and garages need not be analysed. The guidelines may also be applied to any existing nondomestic building where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, hotels and hostels, small workshops and some offices.”

166. To assess daylight, an ADF (Average Daylight Factor) test is used to calculate the average illuminance within a room as a proportion of the illuminance available to an unobstructed point outdoors, under a sky of known luminance and luminance distribution. This is the most detailed of the daylight calculations and considers the physical nature of the rooms and windows, including; window transmittance, window size, room size, angle of external obstruction and room surface reflectivity. Some of the inputs can be accurately quantified (room size, angle of obstruction, window size), but some need to be based upon assumptions.

167. The guidance suggests that, for new dwellings provided with electric lighting, kitchens and combined K/L/D (kitchen/living/dining) should attain at least 2% ADF, living and dining rooms at least 1.5% ADF and bedrooms at least 1% ADF.
169. To assess Sunlight, an APSH (Actual Predicted Sunlight Hours) test is used to calculate the percentage of statistically probable hours of sunlight received by each window in both the summer and winter months. March 21st through to September 21st is considered to be the summer period while September 21st to March 21st is considered the winter period.

170. The BRE guidelines suggest that the main living rooms within new buildings should achieve at least 25% of annual sunlight hours, with 5% during the winter period. Bedrooms and kitchens are considered to be less important in this calculation as people tend to prefer sunlight in the morning rather than the afternoon. The BRE Guidelines states that it is guidance to help planners and developers and should be interpreted flexibly as natural lighting is one of many factors in design.

171. A full Daylight, Sunlight and Light Pollution Report and Addendum have been received for the detailed phase 1.

172. The scheme proposes no single aspect, north facing units. All of the 3 bedroom units are dual aspect.

173. The document demonstrates that of the 579 habitable rooms within the proposed detailed phase 1, 513 (89%) of the rooms would be considered to have acceptable levels of daylight. 23 K/L/D rooms, 13 living rooms and 30 bedrooms would fall below the minimum acceptable level of daylight. This would result in 166 (79%) of the total 211 units having an acceptable level of daylight.

174. The document demonstrates that of the 211 living rooms within the proposed detailed phase 1, 65 (31%) of the rooms would be considered to have acceptable levels of sunlight.

175. The total number of units that would have an acceptable level of both daylight and sunlight would 29%

176. 20 units are within 80% (20 APSH Summer, 4 APSH Winter) of the minimum sunlight standards. Even with this concession, only 85 (40%) of the units would have an acceptable level of sunlight.

177. BRE guidance accepts that balconies can block sunlight to a window and advises to demonstrate this, a study should be undertaken without balconies to assess the impact. However, this guidance relates to the impacts on an existing window from new buildings and balconies.

178. Nevertheless, the applicant has also provided daylight and sunlight results with the balconies removed.

179. The study demonstrates that with balconies removed, 562 (97%) of the habitable room windows and 199 (94%) units would receive an acceptable level of daylight. 91 (43%) units would receive
adequate sunlight and a total of 89 (42%) of the units across the phase 1 detailed element would receive acceptable daylight and sunlight.

180. The study demonstrates that whilst the balconies do have an impact on the sunlight and daylight afforded to the residential units, the orientation, scale and mass of the building and makeup of the units internally are still creating a significant sunlight issue. Although a useful exercise, the study of the units without balconies is considered to not be a significant material consideration as the units do have balconies restricting the light to the habitable rooms.

181. The level of daylight afforded to the rooms in the detailed phase 1 are considered to be acceptable.

182. It is accepted that major developments containing flats are not able to achieve 100% sunlight levels as it would require all of the units to be south facing. Given that the daylight levels across the detailed phase 1 are considered to be acceptable and that the developer has worked to ensure that the scheme does not feature any single aspect north facing units and that all of the 3 bedroom units are dual aspect, the sunlight levels are considered to be acceptable.

Overlooking and Privacy

183. CS Policy DM10 seeks to safeguard residential amenities in terms of privacy, outlook, sunlight/daylight, avoidance of visual intrusion and noise and disturbances.

184. Policy Guidance 16 of the Residential Design SPD advises that for all new residential development (including conversions and changes of use), the priority should be to provide and protect acceptable levels of amenity for both existing and future residents. On smaller sites the prevailing character of the area may dictate what separation distances will be, but in general a minimum separation distance of no less than 21 metres shall normally be maintained between facing windows of habitable rooms and a separation distance of 7.5 metres shall be maintained between new habitable room windows and the boundary to neighbouring properties or 15 metres between new habitable room windows and the flank wall of a neighbouring property. Where the site topology, landscape features or adequate screening is in place it may be appropriate to relax these distances. In all cases, developers should demonstrate, through a design and access statement, how adequate visual and acoustic privacy will be achieved in accordance with the Mayor’s Housing SPG.

185. Standard 28 of the Mayor’s Housing SPG (March 2016) states that Design proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces 1.

186. Supporting paragraph 2.3.36 states that design and access statements should demonstrate how the design as a whole uses a variety of measures to provide adequate visual and acoustic privacy for...
every home in a development. Designers should consider the position and aspect of habitable rooms, gardens and balconies, and avoid windows facing each other where privacy distances are tight. In the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 – 21m between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces). These can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density. It will often be beneficial to provide a set-back or buffer where habitable rooms directly face a public thoroughfare, street, lane or access deck. Privacy is also an important consideration in the design of private open space.

**Block D (Detailed)**

187. The proposed separation distances between the habitable room windows of the mews houses, block D1, block D2 and the outline block G2 would be 39 metres and considered to be an acceptable separation distance.

188. The proposed separation distances between the habitable room windows of blocks D1 and the outline C3 along with between the blocks D1, D2 and D3 would be 18 metres, with the separation distance between Block D1 and the outline block G1 would be between 16 metres and 18 metres, dependant on balcony placements.

189. This would be between 5 metres and 3 metres below the minimum separation distance set out within the Residential Design Guidance.

**Outline Phases**

190. The following analysis for the outline phases is based on the submitted indicative layout and design and would be subject to approval under each respective Reserved Matters Application.

**Block G (Outline – Phase 2)**

191. The proposed separation distances between the habitable room windows of blocks F2 and G1, G1 and G2 and the internal court yards of G1 and G2 would be 18 metres. The separation distance between block D1 and block G1 would be between 16 metres and 18 metres and between block C3 and G1 between 15 metres and 17 metres, dependant on balcony placements.

192. This would be between 3 and 6 metres below the minimum separation distance set out within the Residential Design Guidance.

193. The proposed separation distances between the habitable room windows of the block H and block G2 from the first floor and above would be 12 metres.
194. This would be 3 metres below the minimum separation distance between habitable room windows and flank walls and 9 metres below the minimum separation distances between habitable room windows, as set out within the Residential Design Guidance.

*Block F (Outline – Phase 3)*

195. The proposed separation distances between the habitable room windows of the block F2 and block C2 would between 24 metres and 27 metres. This is considered to be an acceptable distance.

196. The proposed separation distances between the habitable room windows of blocks F2 and G1, F1 and F2 and the internal court yards of F1 and F2 would be 18 metres. The separation distance between block F2 and block C1 along with between block F1 and both B1 and B2 would be between 14.5 metres and 16.5 metres, dependant on balcony placements.

197. This would be between 3 metres and 6.5 metres below the minimum separation distance between habitable room windows and 0.5 metres below the minimum separation distance between habitable room windows and flank walls, as set out within the Residential Design Guidance.

198. The proposed separation distances between the habitable room windows of the block F1 and block A2 would be between 18 metres and 20 metres, dependant on balcony placements.

199. This would be between 1 and 3 metres below the minimum separation distance between habitable room windows set out within the Residential Design Guidance.

*Block C (Outline – Phase 4)*

200. The proposed separation distances between the habitable room windows of the mews houses and block C2 and block F2 would between 24 metres and 27 metres. This is considered to be an acceptable distance.

201. The proposed separation distances between the habitable room windows of blocks D1 and C3, C1 and B2 along with between the blocks C1, C2 and C3 would be 18 metres, with the separation distance between block C3 and G1 between 15 metres and 17 metres and between block F2 and block C1 would be between 14.5 metres and 16.5 metres, dependant on balcony placements.

202. This would be between 3 metres and 6.5 metres below the minimum separation distance set out within the Residential Design Guidance.

*Block B (Outline – Phase 4)*
203. The proposed separation distances between the habitable room windows of blocks B1, B2 and between C1 and B2 would be 18 metres, with the separation distance between block F1 and block B1, block B2 and the mews houses would be between 14.5 metres and 16.5 metres, dependant on balcony placements.

204. This would be between 3 metres and 6.5 metres below the minimum acceptable separation distance set out within the Residential Design Guidance.

205. The proposed separation distances between the habitable room windows of the block B1 and block A1 would be 15 metres.

206. This would be 6 metres below the minimum separation distance between habitable room windows set out within the Residential Design Guidance.

*Blocks A1 and A2 (Outline – Phase 4)*

207. The proposed separation distances between the habitable room windows of block A1 and No. 87 Hook Rise South would between 8 metres and 10 metres.

208. This would be between 5 metres and 7 metres below the minimum acceptable separation distance between habitable room windows and flank walls and between 11 metres and 13 metres below the minimum separation distance between habitable room windows set out within the Residential Design Guidance.

209. The proposed separation distances between the habitable room windows of blocks A1 and the A2 and between blocks A1 and B1 would be 15 metres, with the separation distance between the habitable room windows of the block F1 and block A2 would between 18 metres and 20 metres, dependant on balcony placements.

210. This would be between 1 metres and 6 metres below the minimum separation distance set out within the Residential Design Guidance.

*Block H (Outline – Phase 5)*

211. The proposed indicative floor plan layout suggests a unit at first floor level would be directly facing the railway embankment and Tolworth station, providing a separation distance however, it is considered that the internal layouts of blocks could be re-configured in the reserved matters phase to ensure that this would not be an issue.

212. The proposed separation distances between the habitable room windows of the block H and block G2 from the first floor and above would be 12 metres.
213. This would be 3 metres below the acceptable separation distance between habitable room windows and flank walls and 9 metres below the minimum acceptable separation distance between habitable room windows set out within the Residential Design Guidance.

*Block E (Outline – Phase 6)*

214. The proposed separation distances between the habitable room windows of the two separate elements of block E from the first floor and above would be between 10 metres and 27 metres. Given the proposed layout of this building and indicative mass, it is considered that this could be suitably dealt with during the reserved matters phase.

215. The proposed indicative floor plan layout suggests a unit at each floor in both main elements of block E directly facing the Charrington Bowl, providing no separation distance however, it is considered that the internal layouts of blocks could be re-configured in the reserved matters phase to ensure that this would not be an issue.

216. The proposed separation distances are considered to be acceptable, subject to alterations and detail at the reserved matters stage with regard to block E.

*Private and Communal Amenity Space*

217. LP Policy 3.5 (Quality and Design of Housing Developments) states that the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, taking particular account of the needs of children, disabled and older people.

218. The policy states that development proposals which compromise the delivery of elements of this policy, may be permitted if they are demonstrably of exemplary design and contribute to achievement of other objectives of this Plan.

219. The Mayor’s Housing SPG (March 2016) states in paragraph 2.3.32 that in exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. This area must be added to the minimum GIA. Enclosing balconies as glazed, ventilated winter gardens can be considered an acceptable alternative to open balconies and is recommended for all dwellings exposed to NEC noise category C or D141. Winter gardens must have a drained floor and must be thermally separated from the interior.

220. The paragraph then clearly states that the provision for outdoor gardens should be set in the context of local standards.
221. Housing SPG Standard 27 states that the minimum depth and width for all balconies and other private external spaces should be 1500mm.

222. Policy Guidance 13 of the Residential Design SPD states that a minimum of 10 sq m of private outdoor space should be provided for a new flat and an extra 1 sq m should be provided for each additional occupant. In addition, 50 sq m of communal amenity space should be provided with any private amenity space that can’t be provided added to the communal amenity space.

223. Each phase will need to be able to provide an acceptable level of amenity space within its own phase.

*Detailed Phase 1*

224. The detailed phase 1 is required to provide a minimum of 2,563 sq m of usable private amenity space and minimum of 150 sq m of communal amenity space for phase 1 of the development. A total of 2,713 sq m.

225. The applicant states that the proposed detailed phase 1 would provide 1,755 sq m of private amenity space, 2,806 sq m of public amenity (Tolworth Square), 33 sq m of internal private amenity space and 631 sq m of communal amenity space. The public amenity area is considered to be communal amenity space. The applicant therefore states that the total amenity provision in the detailed phase 1 would be 5,225 sq m.

226. The applicant has included 33 sq m of ‘private internal amenity space’. This is described by the applicant as the additional space on a unit where it exceeds the minimum space requirements of the National Space Standards. The Housing SPG allows for developments to provide this however, it must be in the form of a winter garden or an enclosed balcony. The applicant has not provided that within the detailed element and it is considered to be unacceptable to count GIA over the minimum standards as private amenity space. The 33sqm is therefore discounted off the total amenity space provided in the detailed phase 1.

227. Two ground floor units feature amenity areas of 1.1 metres in depth, 0.4 metres less than the minimum requirements of the Housing SPG. However, the length of these areas is in excess of 9 metres and there is a significant provision of communal amenity space within the first phase.

228. Further to this, BS8233:2014 (Guidance on Sound Insulation and Noise Reduction for Buildings) states at 7.7.3.2 (Design Criteria for External Noise) that the noise level when measured within private amenity space should not have a decibel level above 55db. If it does, additional communal amenity space should be provided to compensate for this.
1,359 sq m of the private amenity space has a noise level above 55db. This leaves 396sqm of useable private amenity space. The total useable private and communal amenity space provided in the detailed phase 1 would therefore be 3,833 sq m.

The total amenity space for the detailed phase 1 is therefore in excess of the minimum requirements for useable amenity and considered to provide a good level of private and communal amenity space.

However, some balconies are proposed on the lower floors close to the A3. While these are not on the façade of the development fronting the A3, they are sufficiently close to cause concern, particularly as the receptor P21 is the location at which the highest concentration of annual average nitrogen dioxide concentrations is predicted. It has not been confirmed by the applicant whether these balconies would be below the hourly air quality objective for nitrogen dioxide. If this is the case, they would need to be removed from the scheme. This could be dealt with by way of a condition, given that the same balconies are affected by noise levels exceedances and that the amenity provision for phase 1 is in excess of the minimum amenity requirements.

Outline Phases and Overall Site

The site as a whole, including both the detailed phase 1 and the outline phases 2-6 would be required to provide a minimum of 11,597 sq m of usable private amenity space and minimum of 800 sq m of communal amenity space. A total of 12,397 sq m.

The applicant states that the proposed development would provide 4,302 sq m of private amenity space, 3,999 sq m of public amenity (Tolworth Square, Mansion Place and Villa Gardens), 3,492 sq m of internal private amenity space and 3,042 sq m of communal amenity space. The public amenity area is considered to be communal amenity space. Although the Mansion Place is currently shown in the indicative outline landscaping plan as hard standing and defensible planting, this area could be communal amenity space. The applicant therefore states that the total amenity provision for the site would be 14,835 sq m.

The applicant has included 3,492 sq m of internal floorspace as ‘private internal amenity space’. This is described by the applicant as the additional space on a unit where it exceeds the minimum space requirements of the National Space Standards and also screened amenity areas. The Housing SPG allows for developments to provide this however, it must be in the form of a winter garden or an enclosed balcony. The Addendum Submission v3 (May 2017) states that some units are described as ‘Private Amenity to have either glass screening or to be internal amenity space’. These screened units total 400 sq m. It is therefore considered that 3,092 sq m of the ‘private internal amenity space’ is GIA over the minimum National Space Standards. It
is considered to be unacceptable to count GIA over the minimum standards as private amenity space. The 3,092 sqm is therefore discounted off the total amenity space provided on the site.

235. Further to this, as mentioned above, standard BS8233:2014 (Guidance on Sound Insulation and Noise Reduction for Buildings) states at 7.7.3.2 (Design Criteria for External Noise) states that the noise level when measured at private amenity should not have a decibel level above 55db. If it does, additional communal amenity space should be provided to compensate for this.

236. 2,063 sq m of the private amenity space has a noise level above 55db. This leaves 2,239 sq m of useable private amenity space. The total useable private and communal amenity space provided across the proposed development would therefore be 9,280 sq m.

237. The total useable amenity space for the proposed development is therefore 3,117 sq m below the minimum requirements for useable amenity space. However, it is considered the site could accommodate the 12,397 sq m of amenity space required for the 950 units. The applicant has agreed to a condition ensuring that each phase has a policy compliant level of useable communal and private amenity space.

Playspace

238. LP Policy 3.5 (Quality and Design of Housing Developments) states that the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, taking particular account of the needs of children, disabled and older people.

239. LP Policy 3.6 (Children and Young People’s Play and Informal Recreation Facilities) states that the Mayor and appropriate organisations should ensure that all children and young people have safe access to good quality, well designed, secure and stimulating play and informal recreation provision, incorporating trees and greenery wherever possible. Development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.

240. The policy continues that development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. The Mayor’s Supplementary Planning Guidance Providing for Children and Young People’s Play and Informal Recreation sets out guidance to assist in this process.

241. CS policy DM 13 (Housing Quality and Mix) states that in order to ensure that the housing delivered is of high quality and the most appropriate type, the Council will expect proposals for new residential
development to accord with the principles of good design, as set out in Policies CS8-DM11 and the Residential Design SPD, including the provision of appropriate amenity space and play space provision.

242. The Shaping Neighbourhoods: Play and Informal Recreation SPD (September 2012) sets out guidance, including the level of play space that should be provided for a development.

243. The calculation guide set out within the Shaping Neighbourhoods: Play and Informal Recreation SPD (September 2012) calculates that this development providing a total of 950 units split between 376 one bed, 358 two bed and 197 three bed flats and 19 two bed houses would be expected to accommodate 107 children (61 xu5's yr olds, 31 x5-11 yr olds and 15 x12+ yr olds) thereby providing 1070.3 sq m of children's play space, of which 100 sq m must be doorstep play and 300 sq m playable space.

244. The detailed phase 1 for 211 units split between 78 one bed, 101 two bed and 24 3 bed flats and 8 two bed houses would be expected to accommodate 20 children (12xu5's yr olds, 5x5-11 yr olds and 3x12+ yr olds) thereby providing 199.9 sq m of children's play space, of which 100 sq m must be doorstep play and the remaining 99.9 sq m playable space.

245. Doorstep play is defined as a landscaped space including engaging play features for young children under 5 that are close to their homes, and places for carers to sit and talk.

246. Playable space is defined as a landscaped space with landscaping and equipment so that children aged 0 to 11 can play and be physically active and they and their carers can sit and talk.

247. Each phase will need to be able to provide an acceptable level of children play space within its own phase.

248. The applicant has carried out an open space assessment of the local context which identified that the proposed development is within the catchment and walking distance (800m) of a number of open spaces making provision for youth space, neighbourhood playable space and local playable space. This results in a requirement for on-site provision only being required for 0-5 year old children and 5-11 year old children. Given the close proximity of the site, both in outline and detailed phases, to Tolworth Goals, King Georges Fields and Tolworth Court Farm, in accordance with table 4.5 of the Mayor’s Shaping Neighbourhoods Play and Informal Recreation SPG, the provision of play for children aged 12+ may be provided offsite.

249. The detailed element of the application proposes to provide:

- 108 sq m of formal play area in the main square;
- 80 sq m of informal play area split between each of the two podiums; and
• 1,098 sq m of informal playable landscape within 5 areas of the main square and both podiums.

250. This would provide a total of 1,286 sq m of playable space.

251. The informal playable landscape is laid out as simple grassed areas with benches to allow for space where children can be physically active. The formal and informal play areas would be conditioned to ensure suitable play equipment and playable landscape is provided. The proposed play areas for the detailed phase 1 are of a sufficient total size and therefore meet and exceed the requirements of the London Plan and the Shaping Neighbourhoods Play and Informal Recreation SPG.

252. Across the entire development, the application proposes to provide:

• 331 sq m of formal play area split between the main square, on the semi-communal podium between blocks F1 and F2 and between blocks A1 and A2;
• 327 sq m of informal play area split between each of the 9 courtyard style podium areas and between blocks A1 and A2; and
• 1818 sq m of informal playable landscape split between each of the 9 courtyard style podium areas, the main square, between blocks A1 and A2, on the semi-communal podiums between blocks G1 and G2 and also between blocks F1 and F2.

253. This would provide a total of 2418 sq m of playable space.

254. The indicative proposed play areas for the outline element of the proposed development demonstrates that an acceptable level of play area, both formal and informal could be provided on the site. This could be conditioned to ensure suitable play equipment and playable landscape is provided through each phases. The development therefore meets and exceeds the requirements of the London Plan and the Shaping Neighbourhoods Play and Informal Recreation SPG.

Housing

Housing Mix

255. LP Policy 3.8 (Housing Choice) states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. It continues to say that to inform local application of Policy 3.3 on housing supply and taking account of housing requirements identified at regional, sub-regional and local levels, boroughs should work with the Mayor and local communities to identify the range of needs likely to arise within their areas and ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing
requirements of different groups and the changing roles of different sectors in meeting these and that appropriate provision is made for the accommodation of service families and custom build, having regard to local need.

256. CS Policy DM13 (Housing Quality and Mix) states that in order to ensure that the housing delivered is of high quality and the most appropriate type, the Council will expect proposals for new residential development to incorporate a mix of unit sizes and types and provide a minimum of 30% of dwellings as 3 or more bedroom units, unless it can be robustly demonstrated that this would be unsuitable or unviable. On sites particularly suited to larger family housing, this minimum figure should be exceeded.

257. The supporting text at paragraph 6.102 states that a high proportion of recent residential schemes have been in the form of 1 and 2 bed flatted developments, raising concerns about the availability of family housing. Furthermore, the Borough’s Strategic Housing Market Assessment (SHMA), at the time of the publication of the Core Strategy in 2012, identified a significant requirement for family housing over the lifetime of the Core Strategy.

258. CS Policy CS10 states that the Council will seek to ensure that a broad mix of accommodation options are available to residents and that a range of local housing needs are met. It continues that the Council will expect all new residential developments to positively contribute to the Borough’s existing residential environment and character, in accordance with the Borough Character Study, while optimising housing output in line with London Plan density policies.

259. More recently, the Council has completed its Strategic Housing Market Assessment (SHMA), published in June 2016, together with three other Surrey authorities (Mole Valley, Epsom and Ewell and Elmbridge), which identifies a more pressing need for family housing. Table 6.14 of the SHMA identifies a need for 70% of new dwellings delivered to be 3+ bed units by 2035. A figure well in excess of the 2012 Core Strategy figure.

260. The proposed development has proposed 11.4% 3 bedroom units (24 of 211) in the detailed phase 1 and has agreed to a condition requiring a minimum of 30% 3 bedroom units (285 of 950) across the entire scheme.

261. It is therefore considered that the proposal would provide a satisfactory mix of residential units in accordance with Policy 3.8 of the London Plan (March 2016) and Policies CS10 and DM13 of the Local Development Framework Core Strategy Adopted April 2012.

Affordable Housing

262. LP Policy 3.11 (Affordable Housing Targets) states that the Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an
average of at least 17,000 more affordable homes per year in London over the term of this Plan. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale. Priority should be accorded to provision of affordable family housing.

263. LP Policy 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes) states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes, having regard to:

- Current and future requirements for affordable housing at local and regional levels;
- Affordable housing targets;
- The need to encourage rather than restrain residential development;
- The need to promote mixed and balanced communities;
- The size and type of affordable housing needed in particular, locations;
- The specific circumstances of individual sites;
- Resources available to fund affordable housing, to maximise affordable housing output and the investment criteria set by the Mayor; and
- The priority to be accorded to provision of affordable family housing.

264. The policy continues that, negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation ('contingent obligations'), and other scheme requirements.

265. The policy concludes that affordable housing should normally be provided on-site. In exceptional cases where it can be demonstrated robustly that this is not appropriate in terms of the policies in this Plan, it may be provided off-site. A cash in lieu contribution should only be accepted where this would have demonstrable benefits in furthering the affordable housing and other policies in this Plan and should be ring-fenced and, if appropriate, pooled to secure additional affordable housing either on identified sites elsewhere or as part of an agreed programme for provision of affordable housing.

266. CS Policy DM15 (Affordable Housing) states that the delivery of affordable housing is a key priority and that the Council will seek to maximise its provision. To achieve this the Council will work with partners to:

- Seek to deliver at least 2,000 new affordable housing units over the
period 2012/13 to 2026/27;

- Explore all opportunities to deliver new affordable units as part of new residential developments and encourage applications for 100% affordable schemes
- Expect developments of 10 or more units to provide 50% affordable housing with proposals departing from these requirements expected to justify any lower provision through the submission of a financial appraisal;
- Within the affordable housing element of new developments seek to achieve a 70:30 tenure split between Social/Affordable Rent and Intermediate provision; and
- Expect the provision of affordable housing to be on-site. In the exceptional circumstances when it can be justified that this would not be viable or practical, and provision cannot be made on an alternative site, then the Council may accept a contribution or commuted sum towards either delivery on an alternative site or other affordable housing initiatives.

267. All Viability Assessments must be in accordance with the RBK Financial Viability in Planning SPD (November 2016).

268. The scheme does not propose 50% of the units to be affordable and therefore in accordance with Police DM15 a financial viability assessment has been submitted with the application which has been independently assessed on behalf of the Council by a Financial Viability Assessor and Cost Consultant.

269. The review has confirmed that the scheme could not support more than the 125 affordable units (13.16%) offered. However, should the application be approved, it would be subject to a review mechanism through the different phases of the development to capture any uplift in values which would allow for the provision of additional affordable housing to be provided. The viability of the application is therefore in accordance with Policy DM15 of the Council’s adopted Core Strategy 2012.

Impact on Neighbouring Amenity

270. NPPF Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution.

271. NPPF Paragraph 123 recognises that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

272. CS Policy 7.6 outlines that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy,
overshadowing, wind and microclimate. It states that this is particularly important for tall buildings.

273. CS Policy DM10 of the LDF Core Strategy seeks to safeguard residential amenities in terms of privacy, outlook, and sunlight/daylight, avoidance of visual intrusion and noise and disturbance.

274. Policy Guidance 16 (Separation Distances) of the Residential Design Guide states that a separation distance of no less than 21m shall normally be maintained between facing windows of habitable rooms, 7.5m between new habitable room windows and the boundary to neighbouring properties and 15m between new habitable room windows and the flank wall of a neighbouring property.

275. Policy Guidance 16 (The 45 Degree Rule) states that the Council applies the ‘45 degree rule’ in assessing development proposals. New buildings or extensions to existing buildings should not encroach on a line drawn at an angle of 45 degrees from the midpoint of the closest window to a habitable room in a neighbouring property.

276. Policy Guidance 18 (Loss of Light to Existing Windows) states that new development should be designed so that new buildings or extensions to existing buildings stand a reasonable distance from the boundary of the property so not to block an unreasonable amount of light from any existing windows of neighbouring properties.

277. It continues on to state that proposed new buildings or extensions to existing buildings taller or closer than three or more times their height (measure from the centre of the existing window of a neighbouring property) should not encroach on the angle to the horizontal subtended by the new development to the centre of the lowest window should be more than 25 degrees.

278. The nearest neighbouring properties to the application site to be considered in any assessment of impact on residential amenity from the proposed development are; Nos. 2a to 86 Hook Rise North and Nos. 1 to 24 Royston Court to the north west on the opposite side of the A3, No. 87 Hook Rise South to the south west, and Nos. 1 to 7 Dean Court and Nos. 1 to 15 Drayton Court to the east.

279. The nearest residential properties to the detailed element of the proposal would be Drayton Court, approximately 25 metres to the east with the nearest Hook Rise North properties, Nos. 12 to 34, between 80 metres and 60 metres respectively to the north west.

280. The nearest residential properties to the outline phases of the development would be approximately 30 metres between block G2 and Drayton Court, approximately 43 metres between block H and Dean Court, between approximately 7 metres, increasing to 10 metres between block A2 and No. 87 Hook Rise South, approximately between 50 metres, increasing to 65 metres between blocks A1 and B1 and Royston Court and between approximately 50 metres and 70 metres between blocks B1, B2, C1, C2 and C3 from Nos. 66 and 36.
The nearest neighbouring properties to the application site to be considered in any assessment of impact on the amenity of existing businesses from the proposed development are; Day Group Ltd, London Concrete Ltd and London United Busways Ltd to the south, and the Charrington Bowl to the east.

The applicant has submitted a Daylight and Sunlight Report in accordance with the BRE Guidelines to assess the impact of the development on surrounding properties. The submitted layout plan and the parameter plan relating to height allow for an accurate assessment of the impact that both the detailed and outline elements of the proposal would have on neighbouring residential properties in terms of overshadowing, overlooking and impact on daylight/sunlight.

**Overshadowing and Overlooking**

Given the separation distances and heights of the buildings within the proposed development from the neighbouring properties, the proposed development would be considered to not cause any significantly detrimental overlooking or overshadowing impacts on the surrounding neighbouring residential properties.

**Daylight/Sunlight**

**Drayton Court**

The results of the Vertical Sky Component (VSC) Assessment (daylight assessment) have shown that 60 of the 66 rooms in Drayton Court facing the proposed development would have windows that retain levels of daylight in excess of the BRE targets. The 6 rooms, which have windows falling below the VSC criteria, are 2 windows on the ground floor and 4 on the first floor. All 6 windows are south east facing and are a kitchen or bedroom. The level of the loss of daylight is considered to be minimal with each window retaining more than 0.95 times their former values. BRE Guidance states that if the windows retain 0.8 times their former value, then the light levels are acceptable.

The BRE guidance suggests that sunlight is most important in main living rooms and that kitchens and bedrooms are less important. Furthermore, only windows which face within 90 degrees of due south are relevant for consideration as part of an Actual Predicted Sunlight Hours (APSH) Assessment (sunlight assessment). The south facing living room windows within Drayton Court property, which overlook the proposed development, will retain good levels of sunlight in excess of the given criteria and meet BRE guidance.

Given the limited impact on the sunlight of Drayton Court, that all windows would retain at least 0.8 times their former value and that the affected windows face south east, it is considered that the proposed development would not have a significant detrimental impact.
on the daylight or sunlight of Drayton Court.

Dean Court

287. The results of the VSC Assessment demonstrate that all windows in the property would retain levels of daylight in excess of the BRE criteria.

288. The results of the APSH Assessment demonstrate that all south facing windows that serve habitable rooms would retain their levels of sunlight in excess of the BRE criteria.

289. It is therefore considered that the proposed development would not have a significant detrimental impact on the daylight or sunlight of Dean Court.

No. 87 Hook Rise South

290. No. 87 Hook Rise South is a semi-detached property situated directly to the south west of the proposed development and block A2. There is 1 side window facing the development in the building.

291. The results of the VSC Assessment demonstrate that the side window would retain levels of daylight in excess of the BRE criteria.

292. The side window faces to the north east and would not see a significant reduction in sunlight to this window, given the limited sunlight already afforded to, given its orientation.

293. No south facing windows in the property would be affected by the proposed development.

294. It is therefore considered that the proposed development would not have a significant detrimental impact on the daylight or sunlight of No. 87 Hook Rise South.

295. Block A1 would be located approximately 6 metres form the side boundary with the rear garden of No. 87 Hook Rise South, projecting approximately 1 metre past the rear protrusion. Block A2 would be located approximately 16 metres, increasing to 19 metres, away from the rear garden of No. 87.

Nos. 4-66 Hook Rise North

296. The properties on Hook Rise North are situated to the north-west of the site, on the opposite side of the A3. The front elevations of these properties overlook the proposed development.

297. The applicant has demonstrated that all but two, Nos. 36 and 38, of the Hook Rise North properties would meet the 25 degree BRE rule, that being a 25 degree line drawn from the lowest window of a property towards the development. The daylight to all of the properties which meet the 25 degree rule would be acceptable. The VSC
Assessment has demonstrated that all of the windows and rooms within both Nos 36 and 38 would retain daylight levels in excess of the BRE criteria.

298. The results of the APSH Assessment demonstrate that all south facing windows that serve habitable rooms would retain their levels of sunlight in excess of the BRE criteria.

Plant Noise

299. Although there is generally a significant separation distance between the proposed development and the neighbouring residential properties, a condition requiring full details of any proposed plant or machinery to be submitted prior to the occupation of any phase of the development would be added to any permission. A condition could also require details of soundproofing to ensure that the noise from any plant would be at least 5dBA lower than the existing background noise level at any given time of operation.

300. The separation distance and use of a condition would ensure that any proposed plant within either the detailed or outline element of the development would not have a significant detrimental impact on the amenity of any of the neighbouring residential properties.

Noise from Proposed Commercial Uses

301. The proposed development includes retail and commercial units which will primarily be located in Block D (Phase 1), the main square (Phase 1), Block G (Phase 2), Block H (Phase 5) and Block E (Phase 6).

302. The detailed phase 1 will include; a nursery (Class D1), community facility (Class D1) and police welfare station within block D and a cafe (Class A3) in the main square, an ancillary site management office in phase 2; a cycle hub in phase 5; and a doctors’ surgery (Class D1) and a retail unit (Class A1) in phase 6.

303. A condition regarding the opening hours of the nursery, community facility, cafe, doctors’ surgery and retail unit and a condition requiring details of any plant required to be submitted prior to the occupation of any phase, including requiring any noise from the plant to be at least 5dBA lower than the existing background noise level at any given time of operation would be added to any permission.

304. Given the relative size of the units, the separation distances from the existing residential units and the conditions restricting hours of opening and noise form any plant, it is considered that the proposed commercial units would not have a significant impact on either the existing neighbouring residential properties or future residents within the development.

Noise from Increased Traffic
305. The proposed development would result in an increase in road traffic around the site.

306. To increase the noise level by 3 dBA, the minimum perceptible, the future traffic flow would have to be at least twice the existing traffic flow.

307. The predicted level of traffic noise generated by the development would be considered to be insignificant compared to the existing levels and would therefore be considered to have a negligible impact on existing noise sensitive properties.

Impact on Existing Businesses

308. An objection has been received from the existing industrial businesses to the south of proposed development, on the opposite side of the railway line embankment. The group of businesses consist of Day Group Ltd, with operations including a train unloading facility, aggregate storage and loading facility and bagging plant; London Concrete Ltd which operates a concrete batching plant; and London United Busways Ltd (LUB) which operates a 7 day a week bus depot with the bulk of bus movements in the period 19:00-07:00. The group have stated concern that their current operations may be disrupted by complaints from future residents about the noise from their operations.

309. The elements of the development that could be affected by the existing businesses are the rear of the buildings in the outline phases 2, 3 and 5 along with blocks A1 and A2 in phase 4. The applicant has assessed the impact of the noise of the existing businesses on these properties. The noise contours in the appendices of the Acoustic report demonstrate that there would an impact from the existing businesses on the facades facing the railway line, with the arrival of a freight train resulting in a significant impact on Blocks A1, A2, F1 and F2.

310. The applicant has proposed a noise screen on each of the podiums facing the railway line embankment to reduce the impacts of the noise on the communal amenity areas to reduce the noise impacts. The applicant has also stated that the residential development will be designed to include measures to ensure that the internal noise levels of the residential units next to the businesses comply with the guideline values of BS 8233:2014 through measures including, where necessary, acoustic double glazing or secondary glazing and mechanical ventilation to enable windows to be remain closed as a first available measure to control noise levels. These measures are considered to be acceptable and would ensure that the proposed residential units that could be affected by the noise from these businesses would not have their internal noise levels significantly affected.

311. The applicant has demonstrated that the proposed development could be built with the internal noise levels of the residents unaffected by the noise of the existing neighbouring businesses to the south and thereby not having a significant impact on the operations of these uses.
However, given that these units would all be within the outline phases with window and unit layouts not yet confirmed, the reserved matters applications for each of these phases would be required to ensure that the internal noise standards are not significantly affected and in line with the standards at the time of application. In addition, landscaping is a reserved matter, with regard to the outline phases, and the acoustic screens for the communal amenity areas would be ensured though each landscaping reserved matters application.

312. Given that the primary uses at the Charrington Bowl take place internally, the proposed development would be considered to not be affected by this existing business and consequently, the proposed development would be considered to not affect the operations of the existing business.

313. It is therefore considered that the detailed element of the proposal would not have a significant detrimental effect on the amenity of surrounding residential properties in terms of outlook and overlooking or the operations of neighbouring existing business. The development is therefore in accordance with Policy DM10 of the Council’s adopted Core Strategy 2012.

314. It is also considered that the outline elements of the proposed development could be built in accordance with the submitted layouts without having a significant detrimental effect on the amenity of surrounding residential properties in terms of outlook and overlooking or the operations of neighbouring existing business. The development is therefore in accordance with Policy DM10 of the Council’s adopted Core Strategy 2012.

Highways & Parking

315. NPPF Paragraph 32 states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

316. NPPF Paragraph 35 states that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to:
• Accommodate the efficient delivery of goods and supplies;
• Give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
• Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
• Incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
• Consider the needs of people with disabilities by all modes of transport.

317. LP Policy 2.8 (Outer London Transport) states that more active traffic management, including demand management measures; road improvements to address local congestion; car parking policy and guidance which reflects greater dependence on the private car; closer co-ordination of transport policy and investment with neighbouring authorities beyond London; and greater recognition of the relationship between office development and car use is required.

318. LP Policy 6.3 (Assessing Effects of Development on Transport Capacity) of The London Plan states that development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Development should not adversely affect safety on the transport network. The policy continues on to state that where existing transport capacity is insufficient to allow for the travel generated by proposed developments, and no firm plans exist for an increase in capacity to cater for this, boroughs should ensure that development proposals are phased until it is known these requirements can be met, otherwise they may be refused. The cumulative impacts of development on transport requirements must be taken into account.

319. Transport assessments will be required in accordance with TfL’s Transport Assessment Best Practice Guidance for major planning applications. Workplace and/or residential travel plans should be provided for planning applications exceeding the thresholds in, and produced in accordance with, the relevant TfL guidance. Construction logistics plans and delivery and servicing plans should be secured in line with the London Freight Plan and should be co-ordinated with travel plans.

320. LP Policy 6.13 (Parking) states that the Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use. In addition, developments must:
• Ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles;
• Provide parking for disabled people in line with Table 6.2;
• Meet the minimum cycle parking standards set out in Table 6.3; and
• Provide for the needs of businesses for delivery and servicing.

321. LP Table 6.2 (Car Parking Standards) states that maximum parking standards for employment B1 uses in an outer London location is 1 space per between 100-600 square metres of GIA.

322. The Mayor’s Accessible London SPG (2014) states that the London Plan requires 10% of all new homes to be wheelchair accessible or easily adaptable for occupation by a wheelchair user.

323. CS Policy T1 (Tolworth Key Area of Change) states that the Council will promote public transport improvements through lobbying and partnership work with transport providers (TfL, South West Trains and Network Rail) including the extension of the 281 bus service from the rear of Tolworth Tower across the A3 to serve Tolworth Station, housing and facilities south of the A3.

324. CS Policy CS5 (Reducing the Need to Travel) states that the Council will locate major trip generating development in accessible locations well served by public transport including Surbiton, New Malden, Tolworth and Kingston Town Centres. Sites that have poor levels of accessibility by sustainable modes will not usually be considered suitable for development that could generate high numbers of trips.

325. CS Policy CS7 (Managing Vehicle Use) states that car use should be managed to ensure sustainability, road safety and reduce congestion, including car club schemes and the provision of electric vehicle charging points and managing on and off-street parking provision to promote sustainability and residential amenity.

326. CS Policies DM08 and DM09 seek to ensure that new development has regard to local traffic conditions and does not contribute to congestion or compromise highway safety.

327. There are two highway authorities responsible for commenting on this application. Transport for London (TfL) are the Highway Authority for the A3, Kingston Road, Hook Rise South and the Tolworth Roundabout and RBK Highways are responsible for all other roads within the vicinity of the application site, commented on by the RBK Neighbourhood Traffic Engineer.

328. The application site is currently served by two existing vehicular accesses, one via Lansdowne Close and another via Hook Rise South. The main residential areas at Tolworth are to the northwest of the site (north of the A3) and to the northeast of the site (east of Kingston Road).

329. As well as providing access to the application site, Lansdowne
Close also provides access to Drayton Court Car Park (Dean Court has no allocated parking). Access to Lansdowne Close is gained via a left turn from the A240 Kingston Road northbound traffic stream. This also provides access to Toby Way via a short link road that runs parallel to Kingston Road adjacent to Dean Court.

330. Along the north western boundary of the site is Hook Rise South, a single carriageway two-way service road that runs immediately south of the A3 and provides access to housing, an industrial park and King George’s Field. It is accessed via the A3 southbound slip road by way of a left turn only link. Hook Rise South connects with Kingston Road via Toby Way, which is a 7m wide two-way carriageway.

331. The A240 Kingston Road is a dual carriageway route that links to the A3 and the Tolworth Broadway. The A3 is a three lane, major carriageway that provides access from Central London down to the south coast.

332. To the south east of the application site is Tolworth Station that provides a link between Chessington and Central London. Kingston Road is also a TfL designated London bus route.

333. Existing bus stops are located on Kingston Road adjacent to the site. These are served by bus numbers 406, 418 and K2 providing a typical frequency of 1 bus every 6 minutes. Additional services are available on the other side of the A3, namely route numbers 265, 281 and K1. The various bus routes provide access between Tolworth and Kingston, Twickenham, Surbiton, Epsom, Putney and New Malden.

**Car Parking**

334. The site has a Public Transport Accessibility Level (PTAL) of 2 (Poor) and 3 (Moderate). The application is proposing 356 car parking spaces, split between 5 off street undercroft car parks providing 321 spaces and 35 on street car parking spaces within the development. 35 off street and 2 on street car parking spaces will be for blue badge holders, equating to 11.5% in compliance with the London Plan. This would be secured by way of a condition.

335. LP Table 6.2 (Car Parking Standards) states that the maximum parking standards for a 1 or 2 bed unit is less than 1 per unit with up to 1.5 spaces per 3 bed unit.

336. The RBK Neighbourhood Traffic Engineer states that the preferred level of parking for a residential development of 950 units with standard Travel Planning elements and the existing public transport provision would be 647 spaces, unless a significantly robust set of Travel Planning measures are put in place.

337. The Neighbourhood Traffic Engineer worked this ratio out on
the basis of the following table:

<table>
<thead>
<tr>
<th>Dwelling Size</th>
<th>No. Units</th>
<th>Parking Ratio</th>
<th>Parking Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bed Unit</td>
<td>376</td>
<td>0.5</td>
<td>188</td>
</tr>
<tr>
<td>2 Bed Unit</td>
<td>384</td>
<td>0.7</td>
<td>269</td>
</tr>
<tr>
<td>3 Bed Unit</td>
<td>190</td>
<td>1.0</td>
<td>190</td>
</tr>
</tbody>
</table>

338. The Transport Assessment (TA) has stated that a review of the 2011 car ownership census data for the wards of Tolworth/Hook Rise and Alexandra showed that the average household owned 1.21 and 1.37 vehicles respectively. The TA states that the car ownership levels extracted from the census data reflect the character of the housing in proximity of the site, which are typically semi-detached houses with off-street driveways or garages for parking.

339. The housing accommodation schedule for the development site comprises predominantly flats. The TA states that this unit typology typically exhibits a propensity to have lower car ownership levels. The TA has stated that a review of the 2011 car ownership census data for the whole of Kingston upon Thames, sorted by Privately Owned > 80% and Percentage Flats > 80%, suggest average household ownership levels of 0.75 vehicles per unit.

340. This would equate to 712 car parking spaces.

341. However, the lower provision of 0.37 spaces per dwelling has been discussed with the GLA and TfL, and has been considered appropriate by both of these organisations on the following reasons:

- The target demographic for the development, amongst which car ownership levels are generally considerably lower than is typical across Kingston;
- The mix of residential unit sizes proposed, which will comprise predominantly 1 and 2 bedroom dwellings;
- The proximity of the site to Tolworth District Centre;
- The proximity of the site to Tolworth railway station;
- The proposed improvements to public transport, including the extension of the 281 bus service and introduction of a new bus interchange facility adjacent to the railway station;
- The need to manage additional traffic on the road network immediately surrounding the site;
- 8 car club bays, with 2 proposed in the first phase;
- A CPZ within the confines of the site;
- £60 on an oyster card to each new flat to incentivise and encourage sustainable travel;
- The comprehensive suite of hard and soft travel planning measures described above, which will discourage private car use and promote more sustainable travel by public transport, on foot and by bicycle; and
A robust parking management strategy that will seek to manage on-site parking and monitor on-street parking demand in the areas surrounding the site.

342. The Sustainable Transport SPD indicates that 1 bay should be provided per 40 units, and the provision of 8 car club bays is set as a minimum, subject to uptake and as such officers considered that this could be considered to offset 240 spaces.

343. The London Plan states that in PTAL 2-4 a maximum of 1 car parking space per 35-50 sq m of retail floor space should be provided and in an outer London location a maximum of 1 car parking space per 100-600 sq m of employment floor space should be provided.

344. The scheme proposes approximately 300 sq m of retail floor space and approximately 765 sq m of employment floor space split between a café, community facility, doctors surgery, nursery and site management office. 9 on street car parking spaces within the site have been provided for the commercial elements of the scheme.

345. The RBK Neighbourhood Traffic Engineer has stated that the mitigation measures included within the Residential and Workplace travel plans, including the car club bays and improvements and extension of the route 281 bus service, make significant contributions to more sustainable modes of transport and as such the reduced level of parking provision can be accepted, subject to the Residential and Workplace Travel Plans being conditioned and delivered.

346. In addition, it is proposed that a clause should be inserted within the S106 stating that should a CPZ in the local area ever be implemented, the residents within the scheme would not be able to apply for a permit.

347. The RBK Neighbourhood Traffic Engineer, TfL and the GLA have all stated that they do not have an objection to the level of residential or commercial car parking.

*Electric Vehicle Car Parking*

348. The London Plan requires 20% of all residential spaces to be available for use by electric vehicles (‘active’ provision) with a further 20% passive provision for electric vehicles to use in the future.

349. However, as discussed in greater detail in the air quality section below, the trips generated from the site would have a negative effect on the air quality of the immediate surrounding area. This has required the applicant, at the request of the GLA, to propose that 40% of all car parking spaces within each phase of the development to be for electric cars only, thereby significantly reducing the amount of pollution generated from the site with a condition controlling this.

350. TfL and the GLA commissioned a study into the spatial
distribution of Ultra Low Emission Vehicle (ULEV) uptake across London, whereby the study looked at two potential scenarios for uptake, a ‘baseline’ and ‘high Battery Electric Vehicle (BEV)’ scenario. In the baseline scenario, it is projected that the number of ULEVs registered in the Capital will surpass 20,000 in 2020 and will be approaching 100,000 in 2025. This means a 25-fold increase in ULEV cars in London in 10 years in the baseline scenario. In the high BEV scenario, the number of ULEVs registered in London is projected to reach nearly 50,000 in 2020 and more than 220,000 in 2025.

351. The Delivery Plan associated with the study sets out targets for ULEV uptake in each individual London borough, and for Kingston the target is to increase registered ULEVs in the borough by 2,832 (baseline growth) and 7,352 (high growth) between 2015 and 2025. In the borough, there are currently in the region of 200 electric vehicles registered.

352. RBK Neighbourhood Traffic Engineers have therefore stated that they consider that the allocation of 40% of the total parking provision solely for the use of electric vehicles is not warranted. The RBK Neighbourhood Traffic Engineers have stated that they consider that the current demand for electric vehicles will not allow the 40% of residential spaces to be fully utilised, unless they are made dual use bays and that it will in effect further restrain the level of on-site parking, potentially resulting in the displacement of cars into the surrounding residential roads.

353. The GLA has been clear in this instance that the electric vehicle only spaces cannot be dual use and to ensure that the air quality is not significantly adversely affected, this must be 40% of each phase, not a staggered approach across the build out of the development.

354. TfL and the GLA have welcomed the proposed allocation of 40% electric car only spaces in each phase of the development.

**Trip Generation**

355. The applicant has submitted a Transport Assessment (TA) and updated Highways Cumulative Impact note. The proposed trip generation has been run through a VISSIM model by TfL and takes account of all committed schemes in the nearby Tolworth area namely; the Tolworth Towers scheme, the Lidl Headquarters scheme and the Premier Inn scheme.

356. The TA states that based on the trips generated by 356 residential car parking spaces there would be 173 two way trips (34 arrivals, 139 departures) in the am peak (08:00-09:00) and 159 two way trips (104 arrivals, 55 departures) in the pm peak (17:00-18:00).

357. In addition the TA states that based on the trips generated by 9 commercial car parking spaces there would be a total of 37 daily
trips resulting in 4 trips in the am peak (08:00-09:00) and 4 trips in the pm peak (17:00-18:00). The café and retail use are expected to generate 2 HGV trips a day however, these would be outside of the am and pm peaks.

358. The applicant has provided a number of mitigation measures in order to aid traffic flow in the immediate vicinity of the site and improve capacity within the surrounding network. These works are focused on Tolworth roundabout and include:

- Changes to the road markings (white lining) on the junction approaches and on the roundabout gyratory to a 'spiral marking arrangement' in order to smooth traffic flows through the junction;
- Improvements to the traffic signage on the approaches to the junction to ensure drivers use the most appropriate traffic lanes; and
- Alterations to the signal timings to optimise performance by maximising capacity and ensuring the future flows across the junction are balanced.

359. TfL have modelled the impact of the proposed trip generation on the local highway network which includes the aforementioned committed schemes, this is the 'Base model'. The proposed improvements to Tolworth roundabout have been included in Base + Meyer Homes

360. The VISSIM modelling has been used to model:

- Journey times for 6 bus routes in each direction through the modelled network;
- Average maximum queue lengths in seconds on junction approaches; and
- Journey times for 7 traffic routes through the modelled network.

361. The bus routes modelled are:

- Route 265 north and southbound;
- Route 281 north and southbound;
- Route 406 north and southbound;
- Route 418 north and southbound;
- Route K1 north and southbound; and
- Route K2 north and southbound.

362. The results of the TfL VISSIM modelling shows the below changes to the journey times of the buses in the am peak with the
The results of the TfL VISSIM modelling showed the below changes to the journey times of the buses in the pm peak with the significant negative changes marked in red:

<table>
<thead>
<tr>
<th>No.</th>
<th>Bus Route</th>
<th>Number of Vehicles</th>
<th>Travel Time</th>
<th>Number of Vehicles</th>
<th>Travel Time</th>
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</thead>
<tbody>
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<td>220</td>
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<td>212</td>
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<td>274</td>
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<td>284</td>
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<td>281 NB</td>
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<td>8</td>
<td>220</td>
</tr>
<tr>
<td>4</td>
<td>281 SB</td>
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<td>227</td>
<td>5</td>
<td>232</td>
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<td>418 NB</td>
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<td>791</td>
</tr>
<tr>
<td>8</td>
<td>418 SB</td>
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<td>343</td>
<td>4</td>
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</tr>
<tr>
<td>9</td>
<td>K1 NB</td>
<td>5</td>
<td>317</td>
<td>4</td>
<td>317</td>
</tr>
<tr>
<td>10</td>
<td>K1 SB</td>
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<td>K2 SB</td>
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significant negative changes marked in red:

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<tr>
<th>No.</th>
<th>Bus Route</th>
<th>Number of Vehicles</th>
<th>Travel Time</th>
<th>Number of Vehicles</th>
<th>Travel Time</th>
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</thead>
<tbody>
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<td>297</td>
</tr>
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<td>4</td>
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</tr>
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<td>K1 NB</td>
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<td>495</td>
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</tbody>
</table>

The results of the TfL VISSIM modelling of the queue lengths at the junctions in the am peak shows the below changes with the
negative impacts marked in red:

<table>
<thead>
<tr>
<th>No.</th>
<th>Junction</th>
<th>Approach</th>
<th>Movement</th>
<th>AM Ave Max Queue (m)</th>
<th>Base Model</th>
<th>Meyer Homes + Base</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Kingston Rd NB</td>
<td>Ahead</td>
<td>378</td>
<td>698</td>
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</tr>
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<td>2</td>
<td>Kingston Rd NB</td>
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<td>377</td>
<td>697</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Kingston Rd / Jubilee Way</td>
<td>Left</td>
<td>90</td>
<td>72</td>
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</tr>
<tr>
<td>4</td>
<td>Jubilee Way</td>
<td>Ahead &amp; Right</td>
<td>93</td>
<td>78</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Kingston Rd SB</td>
<td>Right</td>
<td>111</td>
<td>119</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Kingston Rd SB</td>
<td>Left &amp; Ahead</td>
<td>97</td>
<td>115</td>
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<td></td>
</tr>
<tr>
<td>7</td>
<td>Old Kingston Rd</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>29</td>
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</tr>
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</tr>
<tr>
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<td>148</td>
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<tr>
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<td>Tolworth Broadway / Ewell Rd</td>
<td>Tolworth Broadway</td>
<td>Ahead &amp; Right</td>
<td>93</td>
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<tr>
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<td>95</td>
<td>96</td>
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<td>Ewell Rd WB</td>
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<td>80</td>
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<td></td>
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<tr>
<td>20</td>
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<td>61</td>
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<tr>
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<tr>
<td>23</td>
<td>Hook Roundabout</td>
<td>Hook Rd SB</td>
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<td>165</td>
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<td>Hook Roundabout</td>
<td>Hook Rise S</td>
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</tbody>
</table>

365. The results of the TfL VISSIM modelling of the queue lengths at the junctions in the pm peak shows the below changes with the
negative impacts marked in red:

<table>
<thead>
<tr>
<th>No.</th>
<th>Junction</th>
<th>Approach</th>
<th>Movement</th>
<th>PM Ave Max Queue (m)</th>
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<td>Ewell Rd EB</td>
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</tr>
<tr>
<td>17</td>
<td>Ewell Rd / Elgar Ave / Princes Ave</td>
<td>Elgar Ave</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>47</td>
</tr>
<tr>
<td>18</td>
<td>Ewell Rd / Elgar Ave / Princes Ave</td>
<td>Princes Ave</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>37</td>
</tr>
<tr>
<td>19</td>
<td>Hook Roundabout</td>
<td>Hook Rd SB</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>271</td>
</tr>
<tr>
<td>20</td>
<td>Hook Roundabout</td>
<td>Hook Rise S</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>377</td>
</tr>
<tr>
<td>21</td>
<td>Hook Roundabout</td>
<td>Hook Rd NB</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>105</td>
</tr>
<tr>
<td>22</td>
<td>Hook Roundabout</td>
<td>Hook Rd NB</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>124</td>
</tr>
<tr>
<td>23</td>
<td>Hook Roundabout</td>
<td>Hook Rd NB</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>108</td>
</tr>
<tr>
<td>24</td>
<td>Hook Roundabout</td>
<td>Hook Rd NB</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>108</td>
</tr>
<tr>
<td>25</td>
<td>Hook Roundabout</td>
<td>Hook Rd NB</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>124</td>
</tr>
<tr>
<td>26</td>
<td>Hook Roundabout</td>
<td>Hook Rd NB</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>108</td>
</tr>
<tr>
<td>27</td>
<td>Hook Roundabout</td>
<td>Hook Rd NB</td>
<td>Left &amp; Ahead &amp; Right</td>
<td>124</td>
</tr>
<tr>
<td>28</td>
<td>Toby Way</td>
<td>Left</td>
<td></td>
<td>61</td>
</tr>
</tbody>
</table>

The journey times modelled are between the following routes:
367. The results of the TfL VISSIM modelling of the journey times in the am peak shows the below changes with the negative impacts marked in red:

<table>
<thead>
<tr>
<th>Routes</th>
<th>AM (07:00-08:00)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Base</td>
</tr>
<tr>
<td>1</td>
<td>532.2</td>
</tr>
<tr>
<td>2</td>
<td>330.9</td>
</tr>
<tr>
<td>3</td>
<td>531.9</td>
</tr>
<tr>
<td>4</td>
<td>343.0</td>
</tr>
<tr>
<td>5</td>
<td>431.1</td>
</tr>
<tr>
<td>6</td>
<td>261.7</td>
</tr>
<tr>
<td>7</td>
<td>143.8</td>
</tr>
</tbody>
</table>

368. The results of the TfL VISSIM modelling of the journey times in the pm peak shows the below changes with the negative impacts
369. The modelling results demonstrate that the trip generation of the proposed development, once all 6 phases are completed would result in moderate to significant impacts on the bus journey times, queue lengths and journey times in the immediate surrounding area. However, the development is proposed to be completed over 6 phases, with the estimated completion of the development not expected until the mid 2020’s.

370. TfL have stated that although the results of the VISSIM model indicate that the scheme would impact on the highway network in both peak periods, the Strategic Solution currently being developed would mitigate the cumulative impacts of both the committed developments and the Meyer Homes development whilst also improving pedestrian and cycle linkages to the town centre and station and providing additional capacity through Tolworth Roundabout.

371. TfL have stated that the Strategic Solution would mitigate the impacts of the development whilst providing additional capacity. At the request of TfL, the applicant has agreed to pay a contribution of £2.5 million towards the strategic highways solution. TfL has stated that should the applicant agree to contribute £2.5 million towards the Strategic Highways solution, the scheme would be considered acceptable.

Access

372. The site would be accessed by vehicles from two entrances on Hook Rise South between blocks B2 and C1 and between blocks C3 and D1. Service vehicles would also be able to access block G2 and H via the new Lansdowne Close-Toby Way link. Additional pedestrian and cycle accesses are proposed to be provided between blocks A1 and B1 and from Toby Way, Lansdowne close and Tolworth Station to Tolworth Square.
373. To accommodate the additional traffic and new entrance points, the development proposes the following measures:

- Widen Hook Rise South to accommodate formalised on-street parking.
- A new 3 metre wide shared footway/cycleway with additional landscaping and public realm on Hook Rise South.
- Traffic calming on Hook Rise South in the form of localised narrowing with priority markings.
- Link Lansdowne Close with Toby Way. The new section of road will need to be adopted by the borough, such that it can be maintained and operated as public highway and therefore it will need to be constructed to the appropriate highway standards.
- Convert Lansdowne Close to a one-way bus only section of road for extended 281 route. Residents of Drayton Court and Dean Court would still be able to use this route.
- Works to Toby Way including widening and formalised on-street bay parking.
- Modifications to improve the Hook Rise South slip road.
- The provision of 12 formal on-street car parking bays on Hook Rise South.

374. Whilst the proposed works are welcomed, the highway improvements section does not cover the proposed layout changes to the service road in front of Dean Court, for which RBK are the highway authority. This is a crucial element of the works and the agreement to the changes will mean progressing a Stopping Up order, which will need to be included in the legal agreement. This can be dealt with through a Section 278 agreement.

375. In addition there is currently room for approximately 19 informal on-street car parking spaces on Hook Rise South, the proposed bays will only provide 17, to be used as visitor parking spaces for the site. Although the on-street parking is not formalised at the moment, this could have an impact on commuter parking. In addition, the loading bays on the link road and the new on-street car parking bays on Toby Way will require further design considerations. Both of these issues can be dealt with by way of a condition to examine more and better located on-street parking spaces and delivery bays.

376. The cycle route along Hook Rise South should continue along Toby Way and the link road to provide a safe link to the station. This could be secured through a S106 agreement.

*Cycle Parking, Pedestrians and Wayfinding*

377. The London Plan cycle parking standards state that for 376 one bedroom units and 574 units of two or more bedrooms, the proposal would be required to provide 1,524 cycle parking spaces on the basis of 1 per one bedroom unit and 2 per two or more bedroom unit.
378. The London Plan also states that 1 visitor cycle parking space per 40 units should be provided. The site would therefore need to provide 24 visitor cycle parking spaces.

379. The applicant is proposing 1,563 cycle parking spaces for the residential units and 24 visitor cycle parking spaces. Although some residential cycle parking is proposed to be provided at first floor level, the proposal demonstrates that there is an appropriately sized lift to allow cycles to be comfortably moved. This would conditioned to ensure appropriate cycle parking would be provided in each phases.

380. The level of cycle parking proposed is considered to be acceptable and in accordance with the London Plan.

381. The London Plan states that the following cycle provision is required for the non-residential uses:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Approx. Area</th>
<th>Long Stay</th>
<th>Short Stay</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail (Food)</td>
<td>300 sq m</td>
<td>1 space per 175 sq m</td>
<td>1 space per 750 sq m</td>
<td>3</td>
</tr>
<tr>
<td>Café</td>
<td>100 sq m</td>
<td>1 space per 175 sq m</td>
<td>1 space per 40 sq m</td>
<td>4</td>
</tr>
<tr>
<td>Community Use</td>
<td>115 sq m</td>
<td>1 space per 8 staff</td>
<td>1 space per 30 seats</td>
<td>2-3</td>
</tr>
<tr>
<td>Doctors’ Surgery</td>
<td>300 sq m</td>
<td>1 space per 5 staff</td>
<td>1 space per 3 staff</td>
<td>2-4</td>
</tr>
<tr>
<td>Nursery</td>
<td>175 sq m</td>
<td>1 space per 8 staff + 1 space per 8 students</td>
<td>1 space per 100 students</td>
<td>8-11</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>19-25</td>
</tr>
</tbody>
</table>

382. The Application proposes the following cycle provision for the non-residential uses:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Approx. Area</th>
<th>Long Stay</th>
<th>Short Stay</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail (Food)</td>
<td>300 sq m</td>
<td>2</td>
<td>8</td>
<td>10</td>
</tr>
<tr>
<td>Café</td>
<td>100 sq m</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Community Use</td>
<td>115 sq m</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Doctors’ Surgery</td>
<td>300 sq m</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Nursery</td>
<td>175 sq m</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>10</td>
<td>17</td>
<td>27</td>
</tr>
</tbody>
</table>

383. Although the proposed cycle provision for the nursery is below the minimum standard, this can be dealt with by way of a condition. It is therefore considered that, subject to conditions, the proposed level of non-residential cycle parking meets the London Plan requirement and is considered to be acceptable.

384. The proposed development also proposes, as part of the wider...
Travel Plan measures, provision for a new cycle superhub next to Tolworth station, along with Brompton bike hire facilities in phase 5, both of which are welcomed and supported and would be secured by way of a condition.

385. The proposed development would include an improved pedestrian and cycle route along Hook Rise South with 3 entrances into the site and a reorganised pedestrian route along Kingston Road. This will allow for improved connections to Tolworth Station and Tolworth District Centre for both pedestrians and cyclist and is supported.

Buses

386. The applicant, at the request of TfL have proposed to extend the route 281 bus into the site and provide an additional bus. This would involve creating a road link between Lansdowne Close and Toby Way, making this link and Lansdowne Close one way and providing a bus interchange opposite Tolworth station. The bus interchange facilities would include driver facilities and a large covered bus shelter, the design of which is considered above in the design section.

387. The current route 281 bus terminates in front of Tolworth Tower. This route extension would effectively terminate and commence the service at Tolworth Railway Station creating a transport interchange.

388. TfL consider that the proposed extension of the 281 route into the site is acceptable in principle given the quantum of development, existing routing and the need to provide a connection to the town centre.

389. The RBK Neighbourhood Traffic Engineer has raised concern over the potential length of time for the legal process for the conversion of Lansdowne Close to a one-way bus only section (apart from residents of Dean Court and Drayton Court) of road for extended 281 route. However, a clause within the S106 will require the conversion of the road prior to the occupation of the development would resolve this issue.

390. In addition, concern has been raised about the impact of the potential increased queuing on Toby Way on the journey times of the route 281 bus however, this is a TfL matter and no objection from TfL has been raised regarding this matter.

391. The provision of land for a bus interchange is welcomed along with the monetary payments towards an additional route 281 bus service which will be to the benefit of future residents and the surrounding community. Furthermore it is an aspiration set out in CS Policy T1 that the 281 bus is extended to Tolworth Station and therefore the principle of the extension of the route 281 and the location of the interchange opposite Tolworth station is supported and
considered to be the most appropriate location in order to create a transport hub.

**Servicing**

392. A draft Delivery and Servicing Plan (DSP) has been submitted by the applicant which states that the refuse and recycling on the site from both the residential and commercial units would be collected by a private management firm.

393. No objection has been raised by the RBK Waste officer.

394. The RBK Neighbourhood Traffic Engineer has stated concern about the access arrangements to block G2 however, this can be resolved within the respective reserved matters stage and also by way of the submission of a formal DSP, which can be secured by way of a condition.

**Landscaping**

395. NPPF Paragraph 69 states that planning policies and decisions should aim to ensure that developments optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks. Section 69 goes on to state that planning decisions should promote safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

396. LP Policy 7.5 (Public Realm) states that London’s public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.

397. The policy continues on to state that development should make the public realm comprehensible at a human scale, using gateways, focal points and landmarks as appropriate to help people find their way. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space. Opportunities for the integration of high quality public art should be considered, and opportunities for greening (such as through planting of trees and other soft landscaping wherever possible) should be maximised. Development should incorporate local social infrastructure such as public toilets, drinking water fountains and seating, where appropriate. Development should also reinforce the connection between public spaces and existing local features.

398. CS Policy DM10 (Design Requirements for New Developments) seeks to ensure landscaping is an integral part of the overall design of all new developments and that new developments have regard to the
public realm and to ways in which it can be enhanced as an integral part of the design of the development.

399. CS Policy DM6 states that new developments should protect and promote biodiversity as part of sustainable design through the inclusion of sustainable drainage, tree planting, soft landscaping and habitat enhancement.

400. The application proposes a site wide landscaping master plan, including Hook Rise South, the transport interchange, three public amenity areas, internal roads and semi-private podium level gardens. The plan covers both the detailed and outline elements.

*Hook Rise South*

401. The development proposes a planted 2.85 metre high gabion wall and landscaped mound along the boundary of Hook Rise South and Blocks B, C and D, for approximately 270 metres, with gaps for two site entrances, of the approximately 330 metre boundary of the site to Hook Rise South. The proposal also includes the redefining of the Hook Rise South to include on street parking and a combined footpath and cycle way.

402. The proposed combined footpath and cycle way would be a significant improvement to the existing condition of the Hook Rise South footpath with the Kingston mini-Holland material palette proposed to be used, ensuring the cycle lane ties in visually to the rest of the borough.

403. The planted gabion walls would screen the ground floor car parks and are an attempt to integrate the site into Tolworth. The planting would include shrubs and herbaceous cover with trees of varying size and scale. Where space is limited, the use of planted gabion walls provides height to assist with greening the elevation.

404. The planting in the gabion as part of Phase 1 would include a mix of 14 species of low level shrubs and plants and 17 trees from 6 different species. The mix of species and varying heights would provide a high quality and interesting mix of planting on the boundary, providing an effective green, soft screen to the site.

*Transport Interchange*

405. The proposed surfacing for the pedestrian link to the station, Toby Way and the bus terminus on Lansdowne Close would be finished in the Kingston mini-Holland material palette. Lansdowne Close would be tree lined with 7 Carpinus betulus ‘Frans Fontaine’ (Hornbeam) trees on the southern side and 9 Hornbeams on the northern side, with another 11 lining the connection to Toby Way and Toby Way itself. The pedestrian link would provide a clear desire line into the site from the station, with the raised planters and hornbeams providing as much softening of the transport interchange as possible.
The proposed hard and soft landscaping around the transport interchange would be of a high quality, providing an attractive, whilst also functional, finish.

Public Amenity Areas

The application proposes 3 main areas to provide communal amenity space within the site; Tolworth Square (phase 1), Mansion Place (phase 3) and Villa Gardens (phase 4).

Tolworth Square would be an approximately 2,300 sq m public area, that would also serve as communal amenity space for the development, in between block D to the north and block G to the south and would be delivered within the first phase. The square would house a cafe, a play area and 3 grassed areas. The square would provide the busy hub at the front of the site, with the large variety of trees, shrubs and plants providing a colourful and well-designed communal area as well as a focal point to the site.

Mansion place would be provided within the outline phase 3 between blocks C1 and C2 to the north and block F2 to the south. The area would consist of a shared surface for vehicles and pedestrians, some defensible planting and some benches. This area, whilst not considered to be a useable communal amenity area, is important in providing a visual relief between the eastern and western ends of the site and creating an additional meeting area within the site.

The Villa Gardens area is proposed as part of phase 4 and would provide approximately 135 sq m of quality communal space, set at the western end of the site. This area would provide a large area of children’s play space within a large grassed area. The full planting, landscaping and playable equipment/landscape details would be provided as part of a reserved matters application. The proposed principle layout and use for this area is considered to be acceptable.

Internal Roads

The vehicle access into the site from Hook Rise South either side of block C will be tree lined streets with 4 Hornbeam trees on each side with low level shrubs and plants within planters lining the streets to provide additional soft landscaping. The choice of trees and use of planters helps the streets link with the main squares and help to break up the hard edges within with site. The detailed element is considered to be acceptable. The principle of the landscaping on the streets within the outline element is considered to be acceptable however, further work should be undertaken within the submission of the later reserved matters applications to reduce the level of the hardstanding at the south western end of the site in front of block A2.

Podium Level Gardens

The detailed landscaping plan for the two podium gardens would be replicated across the three podiums within the outline blocks
B, C, F and G. The detailed plan for the podiums shows a modest grassed area, with some low level planting separating the private terraces from the communal space. The area could also house some play equipment for children. The podium landscaping is considered to be of an acceptable quality for its proposed use as a communal area.

413. The two larger stepped communal podiums in between outline blocks F1 and F2 and between blocks G1 and G2 are proposed to feature heavy planting on the steps, combined with larger play areas for children. However, this is in outline, with full details to be provided in the subsequent reserved matters applications. The indicative landscaping and use of these two podiums is considered to be acceptable.

414. LP Policy 7.5 requires development to make the public realm comprehensible at a human scale, using gateways, focal points and landmarks as appropriate to help people find their way. The proposed development has achieved this with a high quality landscaping scheme and would provide a comprehensible public realm within the site.

Legal Agreements

415. CS Policy IMP3 states that the Council will use Planning Obligations to secure financial contributions to meet on and off site requirements which are required to support and mitigate the impacts of the development in accordance with the Council’s SPD on Planning Obligations (March 2017).

416. On the 1st November the Council commenced the operation of a Community Infrastructure Levy (CIL) which is means of collecting monies to provide local infrastructure to offset the impact of developments. Local CIL replaces S106 as a mechanism for collecting contributions for local infrastructure e.g. education and health with the exception of affordable housing which will still be dealt with by way of a S106 agreement. S106 contributions can only be collected for

417. If site-specific exclusions are identified, they will be subject to statutory tests set out under Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), which stipulates the following:

418. “A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development”.

419. The following site specific financial and infrastructure contributions are required to mitigate the highways impacts of the development:
- £50,000 towards interim A3 Roundabout Works;
- £582,250 towards the extension of the 281 bus route;
- £225,096 towards the installation and relocation of bus service infrastructure;
- £300,000 towards the cost of an additional bus during peak hours;
- A bus interchange comprising of a bus stop, shelters and a drivers facility;
- £2.5 million to contribute towards a strategic solution to the Tolworth roundabout;
- 3 years free car club membership for each unit and a minimum of 8 car club spaces;
- An oyster card with £60 credit for each unit;
- £30,000 towards parking surveys; and
- £4,500 towards Travel Plan monitoring.

420. The total highways financial contribution agreed will therefore be £3,661,846 and this will sit alongside the Local Employment Strategy.

421. The development will be providing 125 (13.16%) affordable housing units. This will be subject to a review mechanism requiring the submission of a viability review with the Reserved Matters applications for the 2nd and 4th phases with any additional profit above 20% to go towards additional on-site affordable units and a final review at 95% occupation of the scheme. The final review will, subject to profit above 20%, provide the Council with a cash contribution to affordable housing within the borough up to the equivalent of 35% affordable housing on the scheme, with any profits between 35% and 50% affordable housing on the scheme split 50-50 between the developer and a cash contribution towards affordable housing in the borough.

422. The legal agreement will also secure:

- A community facility in phase 1, and the expansion of this in phase 2. The residential element of the development will not be occupied until a tenant has been found;
- A Day Nursery in phase 1. The residential element of the development will not be occupied until a tenant has been found;
- A Doctors Surgery in phase 6. The residential element of phase 6 will not be fully occupied until a tenant has been found;
- A Welfare Station for Tolworth Metropolitan Police Officers in Phase 2; and
- £253,800 towards a Carbon Offset contribution;
- A review of the Carbon Offset required for each phase.
- £1,090,160 towards sporting and leisure provision in the borough split between:
  o £594,128 towards swimming pools; and
  o £496,032 towards sports halls.

423. Although an additional £95,732/ £75,330 was requested towards sports pitches, the Kingston CIL covers playing pitches so officers cannot request this. In addition, £56,361 was requested towards a bowls provision however, Kingston does not have a scheme to allocate
the indoor bowls centres contribution to meaning that this also cannot be secured.

424. In addition the application is liable to pay Kingston CIL and Mayor CIL. The application site is located within Kingston CIL charging zone 4, which currently has a charges of £50/m² for additional residential floor space and £20/m² for additional non-residential floor area. The Mayoral CIL charge for Kingston is currently set at £35/m² for any additional floor area. The total additional floor area for the entire development, both outline and detailed, is proposed to be 32,354 m².

425. Although the application is a hybrid application, the indicative floor plans combined with the detailed floor plans state that the residential floor area is expected to be 86,647 sqm with 1,202 sqm of non-residential floorspace. Using the indicative figures, the CIL liability is likely to be in the region of £4,332,350 for residential and £24,040 for non-residential for a total of £4,356,390 for the detailed phase of the development.

426. Each reserved matters application will be required to pay its own CIL liability.

427. The CIL charges are subject to the national Tender Price Index. In the event that the All-in Tender Price Index ceases to be published, the index referred to is the retail prices index; and the figure for a given year is the figure for November of the preceding year.

428. Subject to the completion of a Section 106 securing the planning obligations the proposal would be in accordance with Policy IMP3 of the Council’s LDF Core Strategy April 2012.

Sustainability

429. NPPF Paragraph 14 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

430. NPPF Paragraph 93 describes planning as playing a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change. Planning also supports the delivery of renewable and low carbon energy and associated infrastructure which is central to the economic, social and environmental dimensions of sustainable development.

431. NPPF Paragraph 94 advises LPAs to adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.

432. NPPF Paragraph 96 suggests that in determining planning applications, Local Planning Authorities should expect new
development to comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

433. LP Policy 5.1 states that there is an aim to achieve an overall reduction in London’s carbon dioxide emissions of 60 per cent (below 1990 levels) by 2025. Policy 5.2 develops further on this by stating that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following points; use less energy, supply energy efficiently, use renewable energy.

434. LP Policy 5.3 states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Development proposals should also demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process. Major Developments should:

- Minimise carbon dioxide emissions across the site, including the building and services (such as heating and cooling systems).
- Avoid internal overheating and contributing to the urban heat island effect.
- Make efficient use of natural resources (including water), including making the most of natural systems both within and around buildings.
- Minimise pollution (including noise, air and urban run-off).
- Minimise the generation of waste and maximising reuse or recycling.

435. CS Policy DM1 (Sustainable Design and Construction Standards) states that, where appropriate, all new developments over 500m2 of floorspace to achieve BREEAM ‘Outstanding’.

436. CS Policy DM3 (Designing for Changing Climate) states that design proposals should incorporate climate change adaptation measures based on the type and extent of the main changes expected in the local climate throughout the lifetime of the development, this is likely to require a flexible design that can be adapted to accommodate the changing climate, e.g. provision of additional shading or cooling.

437. Where relevant, development proposals will need to take into consideration the requirements for climate change adaptation in the following ways:

- Design of streets and siting of buildings;
- Incorporation of green and blue infrastructure;
- Building density; and
• Reduction of potable water consumption.
• All developments should provide communal or private spaces for residents and the community that:
• Ameliorate the urban heat island effect;
• Provide flooding attenuation if required; and
• Increase biodiversity.

Where it is not possible to meet the standards, compelling reasons must demonstrate that achieving the sustainability standards outlined in CS Policies DM1 to DM3 would not be technically feasible or economically viable, the Council will negotiate planning contributions with developers to fund other methods to offset the environmental impact of the development.

Energy Efficiency

The BRUKL (Building Regulation United Kingdom Part L) is an assessment of the energy efficiency of commercial buildings.

The crèche, community space and café all exceed the minimum requirements of Part L being 19%, 16% and 2.65 respectively above the minimum standards.

All of the commercial buildings in the detailed phase 1 meet the minimum standards and are therefore policy compliant with regard to energy. The commercial uses in the outline phases will need to be assessed in each of the respective reserved matters applications.

Energy

Policy 5.2 of the London Plan and Policy DM1 of the LDF Core Strategy states that new residential development would be expected to achieve the equivalent of Code for Sustainable Homes Level 4. A condition will be required to ensure that the development will achieve not less than the CO2 reductions (ENE1) and internal water usage (WAT1) standards equivalent to Code for Sustainable Homes level 4.

The submitted energy Statement demonstrates that the development could meet this. Subject to the above condition, the proposal in this respect would be in accordance with Policy 5.2 of the London Plan and Policies CS1 and DM1 of the LDF Core Strategy.

The submitted Energy Statement calculates that although the development would meet the requirements of exceeding the minimum requirements of BRUKL with a cumulative onsite carbon reduction of 35%, to meet the requirements of LP policy 5.2 for zero carbon homes a Carbon Offset would need to be paid to the Council in payment of not being a Zero Carbon development.

The detailed phase 1 of the development will be required to offset 141 tonnes of CO2 per year, per 30 years, multiplied at a price of
£60 per ton, resulting in a payment due to the Council of £253,800.

446. The outline phases will be assessed for any Carbon Offsetting required to be paid in each respective reserved matters application. These contributions would be secured through a S106 agreement.

447. The proposed development would have an acceptable level of sustainability and would therefore be considered acceptable in sustainability terms, subject to conditions relating to future connections to a District Heat Network and ensuring that the residential and commercial elements meet their respective sustainability targets.

Other Material Considerations

Air Quality

448. NPPF Paragraph 124 of the NPPF states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

449. LP Policy 7.14 (Improving Air Quality) states that the Mayor recognizes the importance of tackling air pollution and improving air quality to London’s development and the health and wellbeing of its people. He will work with strategic partners to ensure that the spatial, climate change, transport and design policies of this plan support implementation of his Air Quality and Transport strategies to achieve reductions in pollutant emissions and minimize public exposure to pollution.

450. The policy states that Development proposals should:

- Minimize increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs) and where development is likely to be used by large numbers of those particularly vulnerable to poor air quality, such as children or older people) such as by design solutions, buffer zones or steps to promote greater use of sustainable transport modes through travel plans;
- Promote sustainable design and construction to reduce emissions from the demolition and construction of buildings following the best practice guidance in the GLA and London Councils’ ‘The control of dust and emissions from construction and demolition’;
- Be at least ‘air quality neutral’ and not lead to further deterioration of existing poor air quality (such as areas designated as Air Quality Management Areas (AQMAs));
- Ensure that where provision needs to be made to reduce
emissions from a development, this is usually made on-site. Where it can be demonstrated that on-site provision is impractical or inappropriate, and that it is possible to put in place measures having clearly demonstrated equivalent air quality benefits, planning obligations or planning conditions should be used as appropriate to ensure this, whether on a scheme by scheme basis or through joint area based approaches; and

- Where the development requires a detailed air quality assessment and biomass boilers are included, the assessment should forecast pollutant concentrations. Permission should only be granted if no adverse air quality impacts from the biomass boiler are identified.

451. An Air Quality Assessment and an Air Quality Addendum have been submitted with the application which assess the impacts of the development during both construction and operational periods. These documents have been assessed by the GLA and the Council’s Environmental Health team.

452. The existing air quality within the immediate surrounding area of the site is of a poor air quality, with concentrations of nitrogen dioxide exceeding the annual mean objective at relevant receptors along the A3 and at the Tolworth Interchange adjacent to development site. The site lies within an Air Quality Management Area.

453. The guidance published by Environmental Protection UK and the Institute of Air Quality Management (Moorcroft and Barrowcliffe et al, 2017) has been used to determine the significance of effects. The guidance discusses that the significance of effects must be based on professional judgement, taking account of the predicted impacts and makes clear that, 

"several impacts that are described as ‘slight’ individually could, taken together, be regarded as having a significant effect for the purposes of air quality management in an area, especially where it is proving difficult to reduce concentrations of a pollutant. Conversely, a ‘moderate’ or ‘substantial’ impact may not have a significant effect if it is confined to a very small area and where it is not obviously the cause of harm to human health."

454. The Air Quality Assessment concludes that the construction works would give rise to a Medium to High Risk of dust impacts. To mitigate against this, it would be necessary to apply a package of mitigation measures to minimise dust emissions. With these mitigation measures in place, the overall impacts during the construction would be considered to be ‘not significant’. This can be dealt with by way of a condition.

455. The development also proposes having 2 x 750kW CHP boilers and 9 x 1130KW boilers located within an Energy Centre. These boilers will all be natural gas-fired units. The Air Quality Assessment states that the proposed energy centre within the development will lead to an imperceptible increase in annual mean and 1-hour nitrogen dioxide concentrations. As such the air quality impacts of the proposed energy centre would be considered to be ‘not significant’.
456. The proposed development will generate additional traffic which would result in increases in pollutant concentrations at a number of sensitive locations. The resulting emissions from these additional traffic movements will have slight to moderate adverse impacts for nitrogen dioxide and negligible impacts for PM10 and PM2.5. The dwellings that would be affected number between approximately 20 and 25 properties consisting of:

- Hook Rise North: approximately 2-3 houses at the top of Hook Rise North closest to Tolworth Interchange (represented by receptor R5 in the air quality assessment report);
- Dean Court on Kingston Road: approximately 3-4 ground-floor dwellings fronting onto Kingston Road (represented by receptors R7 and R8 in the air quality assessment report);
- Bell Court on Barnsbury Lane: approximately 8-10 ground-floor dwellings fronting onto Barnsbury Lane (represented by receptors R9 and R10 in the air quality assessment report); and
- Kingston Road: approximately 5 ground-floor dwellings fronting onto Kingston Road (represented by receptor R11 in the air quality assessment report).

457. The concentrations of PM10 and PM2.5 at these receptors would remain above the air quality objectives at some of the sites, with or without the scheme in place. However, the slight to moderate adverse impacts would result in small changes in absolute concentrations (i.e. <2% or 0.8 μg/m3), which would be considered to be adverse because the existing baseline nitrogen dioxide concentrations are high and already exceed the objective.

458. It is therefore concluded that the air quality impacts associated with road traffic emissions generated by the proposed development are judged to be ‘significant’ without mitigation.

459. The applicant has proposed to incorporate a number of measures, primarily aimed at encouraging sustainable transport, which will provide air quality benefits and reduce the predicted impacts of the proposed development through a reduction in vehicle trips. The applicant predicts that this would result in a 30% reduction in trips from the site upon full occupation in approximately 2023 at the earliest. However, these measures alone would not result in an air quality neutral as required by LP policy 7.14. The applicant has, at the request of the GLA, proposed that 40% of all car parking spaces within each phase of the development would be for electric cars only, thereby significantly reducing the amount of pollution generated from the site.

Health Impacts

460. LP policy 3.2 (Improving Health and Addressing Health Inequalities) states that the Mayor will take account of the potential impact of development proposals on health and health inequalities within London. The Mayor will work in partnership with the NHS in
London, boroughs and the voluntary and community sector as appropriate to reduce health inequalities and improve the health of all Londoners, supporting the spatial implications of the Mayor’s Health Inequalities Strategy.

461. Policy 3.2 continues that the impacts of major development proposals on the health and wellbeing of communities should be considered, for example through the use of Health Impact Assessments (HIA). New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles to help to reduce health inequalities.

462. CS policy DM21 (Health Impacts) states that all major developments must submit a Health Impact Assessment (HIA) as part of their application to assess the positive and negative effects of a development. This is particularly important in Tolworth where there is already pressure on GP practices which are at a capacity and in addition to the cumulative effect of other large developments in the vicinity.

463. CS policy CS13 (Improving Community Health and Well-being) states that the Council and its local strategic health partners will seek to maximise the opportunities to improve public health outcomes through recreation and exercise and to facilitate the reorganisation, improvement and potential co-location of healthcare facilities and to ensure that they are in sustainable, accessible locations, including a doctors’ (GP) premises to meet NHS standards regarding registered patient list sizes, giving priority to areas with health inequalities, under-provision or where existing premises are unable to meet increased demands resulting from new housing development as identified on Figure 23. The application site is identified as a site to provide a doctors’ surgery with any housing development under the name ‘former government offices/Toby Jug site’.

464. The submitted HIA states that the overall patients per GP in the local area (1km of the site) is currently at an average of 1,145 per GP. This is significantly below the Department for Health target of 1,800. However, the site is identified with policy CS13 as one that should provide a new doctors’ surgery with any housing development. The application will therefore be providing a doctors’ surgery, which will be secured through the S106. This will ensure that the proposal will not have a significant impact on the local health provision.

465. The submitted HIA sets out that the average patients per dentist within the borough (figures for a local list are not available) are currently at 1,268 patients per dentist. This is significantly below the Department for Health target of 2,000. Although the proposed development would have an impact on the dentist to patient ratio within the borough, there is significant existing capacity to accommodate this.

466. The application has demonstrated there will be a small impact on health provision in the locality which can be accommodated within the existing dentist surgeries, with a new doctors’ surgery to be
provided to accommodate the additional GP patients. The development is therefore in accordance with policy 3.2 of the London Plan and policies CS13 and DM21 of the Core Strategy.

Education

467. CS policy DM23 (Schools) requires new residential development to contribute to education provision in accordance with guidance in the Planning Obligations SPD or CIL charge.

468. The application will generate a CIL charge which could contribute towards education provision within the borough.

469. The site will provide a 262sq m day nursery which would provide for approximately 60 children aged 0-5 years. The nursery would be a year round facility, open for a minimum of 51 weeks Monday to Friday between 7.30am and 6.30pm. This would be a welcomed provision and is supported by Achieving for Children.

470. The educational provision within the site is supported.

Community Facility

471. Policy T(i) states that the Council will investigate opportunities within the Tolworth Key Area of Change to work with the Metropolitan Police and the private sector to secure the provision of a base for the Tolworth and Hook Rise police officers within or closer to its policing area, e.g. on or near to Tolworth Broadway.

472. Policy T1(k) of the Core Strategy states that the Council will investigate opportunities within the Tolworth Key Area of Change to provide additional meeting space/space for classes and youth facilities through a number of measures including providing new facilities on development sites, including the application site.

473. The proposed community facility would be located in block D3, phase 1 and would be 62 sq m in size, a relatively small area. However, an area that could be useful as a meeting area for community groups.

474. The energy centre adjacent to the community facility will be moving into phase 2 upon the completion of that phase leaving approximately 110 sq m of free space. The applicant has proposed to turn this area into additional community space, providing a community space of approximately 170 sq m upon the completion of phase 2. This enlarged area would also include an 11 sq m Metropolitan Police welfare station for officers working on and around Tolworth Broadway.

475. The proposed community space would be of an adequate size and would be a useful addition to Tolworth.

Accessibility and Inclusion
476. NPPF Paragraph 69 states that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local Planning Authorities should help create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Safe and accessible developments should be encouraged, which contain clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

477. CS Policy 7.2 states that all new development should be designed so that it can be used safely, easily and with dignity by all, regardless of disability, age, gender, ethnicity or economic circumstances and that new developments should be convenient and welcoming, with no disabling barriers, so that everyone can use them without undue effort, separation or special treatment.

478. The applicant has stated that the proposed development is intended to provide accessibility for everyone. This includes barrier-free access for disabled residents, workers or visitors who may use wheelchairs, those with impaired mobility, sight comprehension or hearing difficulties, pushchair users and children and elderly people.

479. All entrances will have level thresholds and will allow easy wheelchair access with wide corridors and lifts to every floor provided, ensuring the environment would be an easy to understand and navigable and all car parking will have step free access and/or will be served by a lift.

480. The application complies with the 2010 Building Regulations – ‘Access to and Use of Buildings Part M’ in that 10% of the 950 units would be M4(3) compliant (Wheelchair user dwellings) with the remaining 90% M4(2) compliant (Accessible and adaptable dwellings). Phase 1 will include 22 M4(3) compliant units; 10 one bed units, 10 two bed units and 2 three bed units. This is considered to be acceptable.

481. No areas are used for religious purpose and no element of the design discriminates against any culture. The buildings are suitable for use by all age groups and genders and seeks to accommodate the needs of any potential user, ensuring the development is considered to be inclusive.

482. The proposed development would meet the required standards and good practice guidance provided in the Building Regulations Approved Documents Part M and Part K, BS 8300:2009 Design of buildings and their approaches to meet the needs of disabled people, and the Equality Act 2010 and the Metropolitan Police Secure by Design Officer has stated no objection to the proposal.

483. The proposed development is therefore considered to be acceptable in terms of accessibility and inclusion.

Archaeology
484. The NPPF Section 12 and LP Policy 7.8 emphasise that the conservation of archaeological interest is a material consideration in the planning process. NPPF Paragraph 128 says that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. This information should be supplied to inform the planning decision. If planning consent is granted paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

485. CS Policy DM12 states that heritage assets should be preserved. The site is located adjacent to an Archaeological Priority Area.

486. Historic England (Archaeology) have advised that although the site lies outside of an archaeological priority area, it does lie in close proximity to a known Iron Age settlement. English Heritage have therefore requested a condition requiring a two-stage process of archaeological investigation comprising of first an evaluation to clarify the nature and extent of surviving remains, followed by, if necessary, a full investigation. English Heritage have stated that although the NPPF envisages evaluation being undertaken prior to determination, in this case, considering the nature of the development, the archaeological interest and/or practical constraints are such that they consider a condition could provide an acceptable safeguard.

487. The application is considered acceptable in terms of archaeological impacts, subject to a condition.

Biodiversity

488. CS Policy 7.19 (Biodiversity) states that development proposals should be planning for nature from the beginning of the development process and taking opportunities for positive gains for nature through the layout, design and materials of development proposals and appropriate biodiversity action plans.

489. CS Policy DM6 states that new developments should protect and promote biodiversity as part of sustainable design through the inclusion of sustainable drainage, tree planting, soft landscaping, habitat enhancement, green roofs and new or improved semi-natural habitats, where appropriate.

490. The policy continues on to state that the Council requires an ecological assessment on major development proposals, or where a site contains or is next to significant areas of habitat or wildlife potential.

491. The site is not subject to any statutory or non-statutory nature conservation designation. The nearest statutorily designated sites for nature conservation are Tolworth Court Farm which is separated from
the site by the railway line and King Georges Playing Fields and the
Hogsmill River Park Local Nature Reserve (LNR) situated
approximately 800 metres to the south. The site has been cleared with
no vegetation remaining.

492. A Phase 1 Ecological Appraisal of the site was submitted as part
of the application. This report concluded that those habitats on site are
of value within the immediate vicinity of the site only but due to the
location of the site and its potential to offer connectivity to other
habitats along the rail embankment. The habitats, predominantly
scattered scrub, semi improved grassland and introduced shrub, are
common urban habitats, limited in extent and not exceptional examples
of their type in the context of the local area.

493. Although no reptiles were observed during the initial ecological
appraisal the site is directly adjacent to a vegetated rail embankment
offering connectivity to sub-optimum habitat for common reptiles such
as slow worm and common lizard. It is therefore recommended that if
more than 18 months elapses between the survey being carried out
and work commencing on site then a further survey should be carried
out.

494. The report also recommends that prior to removal of any
suitable nesting bird habitats, a nesting bird check is carried out.

495. It is therefore considered that the development would not have
an adverse effect on biodiversity, subject to conditions securing the
above mitigation measures, and is therefore in accordance with Policy
DM6 of the Council’s adopted Core Strategy.

Contamination

496. Paragraph 120 of the NPPF states that to prevent unacceptable
risks from pollution and land instability, planning policies and decisions
should ensure that new development is appropriate for its location. The
effects (including cumulative effects) of pollution on health, the natural
environment or general amenity, and the potential sensitivity of the
area or proposed development to adverse effects from pollution,
should be taken into account. Where a site is affected by
contamination or land stability issues, responsibility for securing a safe
development rests with the developer and/or landowner.

497. Nevertheless, Paragraph 121 goes on to add that planning
policies and decisions should also ensure that:

- The site is suitable for its new use taking account of ground
  conditions and land instability, including from natural hazards or
  former activities such as mining, pollution arising from previous
  uses and any proposals for mitigation including land remediation
  or impacts on the natural environment arising from that
  remediation;
- After remediation, as a minimum, land should not be capable of
  being determined as contaminated land under Part IIA of the
  Environmental Protection Act 1990; and
Adequate site investigation information, prepared by a competent person, is presented.

498. A Phase 1 Environmental Assessment dated 1st December 2016 by Delta-Simons was submitted with the application. This concluded that in the absence of any significant historic contaminated land uses that the likelihood for significant pollution is low. As with any development there is potential during ground works for the discovery of materials which could be identified as “contaminated” and therefore a condition should be imposed should unexpected contamination be discovered during the construction process.

Flooding and Surface Water Drainage

499. The site is located in Flood Zone 1 (low risk: less than 1 in 1000 year), which is an area not considered to be at risk of tidal or fluvial flooding. A small portion of the western corner of the site is located within one of the borough’s Critical Drainage Areas. The site is also predicted to be at high (1 in 30 year), medium (1 in 100 year) and low risk (1 in 1000 year) of surface water flooding.

500. In accordance with the NPPF and associated Technical Guidance, the application has been accompanied by a Flood Risk Assessment (FRA). The FRA qualitatively assesses all sources of flooding and sets out overarching principles that will be adopted as part of the on-going drainage strategy detailed design process.

501. The submitted FRA demonstrates that the proposed development would not result in a significant detrimental increase in surface water flooding, with the surface water drainage strategy ensuring this by providing underground attenuation tanks in conjunction with green podiums to limit the discharge to three times the greenfield runoff rate, sufficient to handle a 1 in 30 year rainfall event.

502. The Environment Agency and the Council’s Flood Risk Officer have stated no objection to the proposed development, subject to a condition for the drainage design and also a condition for full details of the implementation, adoption, maintenance and management of the Sustainable Urban Drainage System prior to the commencement of the development.

503. The proposed development would therefore be considered to not be at an adverse risk from flooding or significantly increase surface water run off within the site, subject to conditions, in accordance with London Plan Policy 5.13 and Policy DM4 of the Core Strategy.

Refuse and Recycling

504. The development is proposing large communal refuse and recycling stores at the sides of each of the buildings with two stores proposed for the phase 1 building, one at each side. The proposed
store for this building is considered to be of an acceptable size. The indicative refuses stores and locations across the outline elements of the site are considered to be acceptable. The use and collection of the refuse stores will be managed by a waste management company.

505. The proposal states that commercial waste will be separate to residential waste, with commercial waste contained within the commercial tenant’s demise.

506. A Waste Management Strategy, including a Servicing and Access plan will need to be submitted by way of a condition for each phase of the development, including the detailed phase 1. The Waste Management Strategy will need to be in line with Policy Guidance 22 of the Residential Design SPD.

Metropolitan Open Land (MOL)

507. LP Policy 7.17 (Metropolitan Open Land) states that the Mayor strongly supports the current extent of Metropolitan Open Land (MOL), its extension in appropriate circumstances and its protection from development having an adverse impact on the openness of MOL. The policy continues on to say that the strongest protection should be given to London’s Metropolitan Open Land and ‘inappropriate development’ refused, except in very special circumstances, giving the same level of protection as in the Green Belt. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL.

508. Paragraph 79 of the NPPF states that the Government attaches great importance to Green Belts [MOLs]. The fundamental aim of Green Belt policy [MOL Policy] is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts [MOLs] are their openness and their permanence.

509. Paragraph 80 of the NPPF states that the Green Belt [MOL] serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

510. Paragraph 81 of the NPPF states that local planning authorities should plan positively to enhance the beneficial use of the Green Belt [MOL], such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.
Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt [MOL] and should not be approved except in very special circumstances.

Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt [MOL]. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt [MOL] by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The proposed development would be separated from the MOL land by the railway line and Kingston Road. Policy DM5 (Green Belt, Metropolitan Open Land (MOL) and Open Space Needs) states that the Council will only allow development on sites adjacent to the Green Belt, MOL or other open space designation that does not have a detrimental impact on its visual amenities and respects the size, form and use of that open space, in accordance with national guidance.

The proposed development would be visible from 4 areas of MOL; Tolworth Goals, Kingston University Playing Fields, Tolworth Court Farm and King George’s Fields.

The MOL currently occupied by Tolworth Goals, features ten 5 aside astroturf football pitches and associated barriers and netting. Although the proposed development would be visible above the railway line embankment, and of a larger scale and bulk than the single storey Tolworth Goals main building and associated football pitches, given the nature of the use on the MOL, lack of openness around the Tolworth Goals site, the separation distance to the MOL across the busy Kingston Road and railway embankment and the current use of the site and surrounds, officers do not consider the proposed development to impact on the views or openness of the adjacent Tolworth Goals MOL.

The Kingston University Playing Fields are located to far south east of the site on the other side of the railway line embankment and Tolworth Goals. The development would visible from this part of the MOL in very fleeting views between the trees in winter. When the trees are in full leaf these views would disappear. It is therefore considered that the development would not affect the openness of the MOL at Kingston University Playing Fields.

The MOL at Tolworth Court Farm Fields is located to the south of the development, on the other side of the railway line embankment and the Lidl site and is also designated as a Local Nature Reserve. From this location, currently only the very top part of Tolworth Tower is visible. Only the top storey and the mansard roof of block G would be visible when the trees are not in leaf. When the trees are in full leaf these views would disappear. The amount of building visible would be less than that of Tolworth Tower and would be less intrusive on the view from the MOL than from Tolworth Tower. Given the limited views of the site and presence of Tolworth Tower in the view already, it is
considered that the development would not affect the openness of the MOL at Tolworth Court Farm.

518. The MOL at King George’s Fields is located on the other side of the railway line embankment, directly to the south east of the site. At present only Tolworth Tower is visible from this location. The development would be highly visible from this view with the tallest proposed buildings, 8 and 10 storey blocks F and G respectively, against the embankment. The proposed development would significantly visually encroach on the openness of the northern side of the MOL at this location given the height and mass of the proposed buildings and their proximity to the MOL.

519. The MOL balance requires an assessment of whether the harm by reason of visual encroachment into the MOL would be clearly outweighed by other considerations to amount to the very special circumstances required to justify the proposal. In accordance with the London Plan it is necessary to attribute substantial weight to the totality of the harm to the MOL.

520. A stated aim of the greenbelt [MOL] is to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. Any development to regenerate the brownfield land at this location would visually encroach on the openness of the MOL at this location.

521. **Cumulative Impact**

522. Paragraph 24 of the National Planning Policy Guidance (NPPG) states that local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development.

523. Prior to the submission of this application, an application at the Tolworth Tower site on the opposite side of the roundabout has a resolution to approve subject to the satisfactory signing of a S106 agreement. This development proposes 308 residential units with a further 78 previously approved under the prior notification procedure which allows vacant office space to be converted to residential units without the need for a formal planning application. The impact of these 386 residential units in conjunction with those proposed as part of this application needs to be taken into account.

524. In addition, an application at Jubilee Way for a Lidl headquarters building on the other side of the railway line has a resolution to approve subject to the satisfactory signing of a S106 agreement. This development proposes 311 car parking spaces for up to 750 employees. The impact of the trip generation from these potential 750 employees and 311 car parking spaces in conjunction with the trip generation predicted as part of this application needs to be taken into account.

525. If both the application site and Tolworth Tower developments
were to gain permission, they would result in 1,336 new residential units being constructed. In this instance, whilst this number of units is significant they are to be constructed in and adjacent to a District Centre, in a sustainable location adjacent to mainline station into London and in an area designated as a Key Area of Change and Housing Opportunity Area within the Council’s adopted Core Strategy. Having regard to these factors it is considered that the proposal would be taking place in an area identified for development and would also enhance vitality and viability of the centre and in a sustainable location.

526. All the developments would result in changes to traffic on the surrounding road network especially the roundabout with the A3 which is already heavily congested. In making their comments and reaching recommendations on all three applications, Transport for London have modelled the impact of all three developments on the roundabout. The cumulative impact in terms of traffic has therefore been assessed in relation to this application, Tolworth Tower and the Lidl headquarters.

527. Both the application site and Tolworth Tower development are likely to have impacts on socio-economic infrastructure such as school places and health services. The developments on both sites will be phased so it would not result in 1336 new dwellings all at once. The applicants for this application have indicated an approximately 8-10 year build programme which would allow time for the necessary infrastructure to be provided. In addition both developments will be required to mitigate their impacts on local services through the payment of the Community Infrastructure Levy which will provide the monies for additional service provision. This application will also provide a site and building for a new doctors’ surgery and a nursery to facilitate increased GP services and provision of early years care in the locality.