## DEVELOPMENT CONTROL COMMITTEE

**WEDNESDAY 06 JUNE 2018**

**REPORT BY**

ACTING ASSISTANT DIRECTOR, STRATEGIC PLANNING & INFRASTRUCTURE

PLANNING APPLICATIONS

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<tr>
<td>A1</td>
<td>17/12997</td>
<td>14a Park Road, Kingston Upon Thames</td>
<td>Demolition of existing site buildings comprising vehicle repair workshop and offices and redevelopment to provide a 3-storey mixed-use building comprising ground floor B1 office space and 9 residential units (2 x 1 beds, 4 x 2 bed and 3 x 3 bed), along with communal amenity space, landscaping and undercroft parking and cycle parking (retaining frontage building at 14 Park Road): additional details and information.</td>
<td>PERMIT</td>
<td>A3</td>
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PLANNING APPLICATIONS

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

The policies listed are those from the Royal Borough of Kingston upon Thames the Local Development Framework Core Strategy, Adopted April 2012.
A Register No: 17/12997/FUL

Address: 14A PARK ROAD, KINGSTON UPON THAMES

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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]
Executive Summary
The application seeks full planning permission for the demolition of the existing buildings on site and the erection of a 3 storey contemporary mews style building comprising

- employment accommodation (B1 offices) at ground floor (470sqm)
- 9 residential units on the first and second floors units
  - 2 x 1 beds,
  - 4 x 2 bed, and
  - 3 x 3 bed)
- 9 car parking spaces. The site would be accessed via the existing access road.

The site is located within the Park Road Conservation Area and is in a primarily residential area

44 letters of objections and 1 letter of support have been received.

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

- Principle of the Proposed Development
- Housing Delivery
- Quality of the Accommodation
- Impact on the Character of the Conservation Area
- Impact on the Neighbour’s Residential Amenity
- Highways and Parking
- Trees
- Sustainability
**Key Standards Dashboard**

<table>
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<tr>
<th>Planning Issue</th>
<th>Relevant Standard</th>
<th>Proposed</th>
<th>Is this Aspect in Accordance with the Development Plan?</th>
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<tbody>
<tr>
<td>Density</td>
<td>225 u/ha</td>
<td>83 u/ha</td>
<td>Yes</td>
</tr>
<tr>
<td>Affordable housing</td>
<td>N/A</td>
<td>N/A</td>
<td>Yes</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 for Residential</td>
<td>11 maximum</td>
<td>9</td>
<td>Yes</td>
</tr>
<tr>
<td>Cycle Parking Spaces</td>
<td>Minimum 22</td>
<td>25</td>
<td>Yes</td>
</tr>
<tr>
<td>Sustainability – C02</td>
<td>Zero Carbon</td>
<td>35% reduction and a Carbon Offset Payment</td>
<td>Yes, subject to the receipt of the Carbon Offset payment</td>
</tr>
</tbody>
</table>

**Recommendation**

Approve subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), as specified in the legal agreements section, and subject to conditions.

**Planning Policy**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 provides that an application must be made in accordance with the development plan unless material considerations indicate otherwise.

**Development Plan:**

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

**LONDON PLAN**

- LP 3.13 Affordable housing thresholds
- LP 3.3 Increasing housing supply
- LP 3.4 Optimising housing potential
- LP 3.5 Quality and design of housing development
- LP 3.8 Housing choice
- LP 4.3 Mixed use development and offices
- LP 5.12 Flood risk management
- LP 5.13 Sustainable drainage
- LP 5.2 Minimising carbon dioxide emissions
LP 5.3 Sustainable design and construction
LP 5.7 Renewable energy
LP 5.9 Overheating and cooling
LP 6.13 Parking
LP 7.19 Biodiversity and access to nature
LP 7.29 The River Thames
LP 7.4 Local character
LP 7.6 Architecture

LDF CORE STRATEGY CORE POLICIES
CS 01 Climate Change Mitigation
CS 05 Reducing the Need to Travel
CS 06 Sustainable Travel
CS 07 Managing Vehicle Use
CS 08 Character, Heritage and Design
CS 10 Housing Delivery
CS 11 Economy and Employment

LDF CORE STRATEGY DEVELOPMENT MANAGEMENT
DM01 Sustainable Design and Construction Stan
DM03 Designing for Changing Climate
DM04 Water Management and Flood Risk
DM06 Biodiversity
DM08 Sustainable Transport for new Development
DM09 Managing Vehicle Use for New Development
DM10 Design Requirements for New Developments
DM12 Development in Conservation Areas and Af
DM13 Housing Quality and Mix
DM15 Affordable Housing
DM17 Protecting Existing Employment Land and

LDF CORE STRATEGY IMPLEMENT POLICIES
IMP3 Securing Infrastructure

Other Considerations
National Planning Policy Framework
National Planning Practice Guidance (web based resource)
Homes and Communities Agency Employment Densities Guide 2010

RBK Affordable Housing Supplementary Planning Document 2013
RBK Residential Design Supplementary Planning Document 2012
RBK Sustainable Transport Supplementary Planning Document 2013
RBK Financial Viability in Planning Supplementary Planning Document 2016
RBK Planning Obligations Planning Supplementary Planning Document 2017
### Previous Relevant History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Permit Conditions</th>
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<tbody>
<tr>
<td>89/1788/FUL</td>
<td>Retention of extension at first floor level, and continued use as offices</td>
<td>Permit Conditions 09/01/1991</td>
</tr>
<tr>
<td>94/0410/LDP</td>
<td>Use of part of premises for MOT Testing (Class B2) (LDC)</td>
<td>Issue Use 26/04/1994</td>
</tr>
<tr>
<td>2346</td>
<td>Removal of existing workshops and election of new workshop</td>
<td>Conditional consent 15/12/1950</td>
</tr>
<tr>
<td>4487</td>
<td>Extension at 1st. floor level</td>
<td>Conditional consent until 31.11.75</td>
</tr>
<tr>
<td></td>
<td></td>
<td>29/11/1968</td>
</tr>
<tr>
<td>26084</td>
<td>Continued use of first floor extension for offices and boardroom (building behind 9-13 Kingston Hill)</td>
<td>Conditional permission to 30.11.89 10/11/1982</td>
</tr>
<tr>
<td>30794</td>
<td>Use of premises at rear for general industrial engineering works (EUC)</td>
<td>EUC Issued 24/01/1986</td>
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### Consultations

1. **Neighbouring Occupiers:** 197 notification letters have been sent to properties neighbouring the application site, in addition a site notice was displayed at the application site and a notice has been placed in the local press. In response 43 letters of objection have been received on the following grounds:

   i. **Design**
   The height, bulk and mass of the proposed development is objectionable. The modern design is inappropriate it lacks appropriate detail, articulation and individuality and as such fails to improve the character and appearance of the conservation area. The proposed development would result in an unacceptable reduction in the residential amenities currently enjoyed by neighbouring properties by reason of loss of privacy and loss of outlook. In addition, the proposed development would be overbear and overshadow neighbouring properties. The proposed development is too dense and provides insufficient soft landscaping.

   ii. **Highways**
   The provision of 9 car parking spaces for this development is inadequate. The additional traffic associated with the development would add to the congestion of local roads. The proposed development would generate too much traffic for single access road resulting in safety concerns and would cause noise and disruption, particularly from construction vehicles. The access is too narrow for heavy plant machinery fire engines, removal lorries, delivery vehicles etc.

   iii. **Trees**
   The proposed underground car park would adversely affect trees in neighbouring gardens, including TPO Oak trees. Any impact on the trees could have a detrimental Impact on biodiversity (bats)

   iv. **Infrastructure**
   The proposed development would increase demand on services, school places, GPS etc.
v. Flooding
The proposed development may impact on flooding as a result of the extensive excavation required for the basement.

2. 1 letter of Support: A resident of Brunswick Road has written to confirm that members of local residents met with the developer, where many questions/concerns were addressed. As a result their original objection is withdrawn and they offer support for the application.

3. Following further consultation 3 letters of objections were received (2 from residents who had previously objected)) raising issues as set at above, and additional objections as set out below
   i. The proposed development could destabilise trees which may fall on neighbouring properties
   ii. Privacy screen now provided but terraces still appears to overlook 10 & 12 Park Road
   iv. The section line showing 25 degree line has not taken into account rear extension for daylight and sunlight, or consider stability of garden planter which is supported by rear garden wall at 8 Brunswick Road.

4. **Kingston Town Neighbourhood Conservation Area Committee**: Neutral
   i. The proposed mixed use development appropriately reflects the history of this derelict site.
   ii. 9 residential units would contribute to London Plan and RBK Core Strategy of increasing housing stock in the borough.
   iii. On-site unobtrusive parking.
   iv. Mews- style design sensitive to local existing architecture in terms of bulk and mass.
   v. There has been extensive consultation with local community who largely support the development
   vi. The only reservation the Committee had was that of density.

5. **Metropolitan Police Designing out Crime Officer**: Canbury Ward has a lower crime rate when compared to the borough and the London rates. Some detailed design improvements could be incorporated in accordance with Secure by Design requirements. Details to be secured by condition.

6. **Historic England**: No comments. The application should be determined in accordance with local and national policy guidance.

7. **Kingston upon Thames Archaeological Society**: request that archaeological surveillance be carried out during groundworks on these sites because they may all yield evidence of industrial activity before the First World War.

8. **Greater London Archaeological Advisory Service (GLAAS)**: No objection – Recommend that an archaeological assessment is not required.

9. **RBK Neighbourhood Traffic Engineer**: No objection - Initial concerns raised in respect of lack of clarity and detail, particularly with respect to the width of the access way and proposed gradient of the access, also parking and servicing arrangements. Further technical clarification has been provided which addresses these original
concerns. The distance where the access width is less than 3.6 metres, is approximately 10 metres and is considered acceptable in this instance as it is a betterment and safer use than the existing MOT vehicle repair shop due to the reduced number and type of vehicle movements.

10. **RBK Environmental Health Officer:** No objection subject to conditions requiring Construction Method Statement/Dust Management Plan, detailed land contamination assessment and remediation strategy.

11. **RBK Tree and Landscape Officer:** No objection is raised subject to safeguarding conditions. Initial concerns regarding the basement element of the proposal and potential for root severance and damage to several significant mature protected trees has been addressed.

12. **RBK Flood Risk Officer:** No objection. Initial concerns identified due to lack of information within detailed drainage reports. Following submission of revised technical data the proposed drainage strategy is accepted subject to conditions requiring the submission of final detailed drainage design and maintenance plan.

13. **RBK Sustainability Officer:** No objection subject to conditions and a financial carbon offsetting contribution.

14. **RBK Ecology Officer:** No objection subject to conditions, including external lighting strategy.

15. **Thames Water:** No objection in respect of sewerage infrastructure capacity and water infrastructure capacity.

**Site and Surroundings**

16. The site is located on the eastern side of Park Road, to the rear of the properties fronting onto Brunswick Road. The site is triangular shaped, with shared boundaries with properties in Brunswick Road and Kingston Hill. The site sits behind 14 Park Road, a house which is also within the applicant’s ownership but does not form part of the application site itself.

17. The site comprises a collection of buildings, part two storey and part single storey, occupying a large proportion of the existing footprint. The site is vacant, since March 2017. It was previously occupied by an MOT garage (Alan Lloyd Motors) on the ground floor with ancillary offices above.

18. Whilst Park Road contains a mix of uses the area can generally be described as primarily residential in character. The site is located within the Park Road Conservation Area.

19. Access to the site is gained via an existing crossover on Park Road, with an access road which runs adjacent the existing house at 14 Park Road. The site has a good-medium public transport accessibility level, with a PTAL rating of between 4 and 3 (with 1 being the lowest and 6 the highest). The site is situated within the Canbury Zone B Controlled Parking Zone (CPZ). The CPZ has permit holder and dual use permit holder/pay at machine bays which operate between 08:30 and 18:30 Monday to Saturday. The pay and display bays allow for a maximum stay of 4 hours, with no return within 2 hours.

20. The site is within Flood zone 1 (low probability of flooding).
Proposal

21. Planning permission is sought for the demolition of all buildings on the site and redevelopment comprising the erection of a contemporary mews style building to provide B1 employment space (470sqm) on the ground floor with 9 residential units on the upper floors.

22. The proposed scheme incorporates the following elements:

- Demolition of all the existing buildings;
- Erection of a new part two, part three storey building set approximately 2m lower than the existing site level;
- Provision of approximately 470 sqm of B1 office commercial space on the ground floor;
- Introduction of 9 new residential units across the first and second floors comprising each provided with private amenity space in the form of terraces and a communal terrace area;
  - 2 x 1 bed,
  - 4 x 2 bed and
  - 3 x 3 bed flats
- Undercroft parking comprising
  - 9 car parking spaces accessible via a gated entrance,
  - 16 secure cycle spaces for the residential units with an additional 9 cycle spaces for the commercial space and visitors on the ground floor of the building.
  - Space for 4 x 1100 litre bins

Assessment

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

- Principle of Proposed Development
  - Employment use
- Housing Delivery
  - Density
  - Housing Quality and Mix
  - Affordable Housing
- Impact on Character of Area
  - Heritage Assessment
  - Design
- Impact on Neighbour’s Residential Amenity
- Highways and Parking
  - Parking
  - Access
- Trees
- Legal Agreements
- Sustainability
- Other Material Considerations
  - Ecology
  - Land contamination
  - Air Quality
  - Disturbance during construction
  - Flood Risk
23. **Principle of Proposed Development**

24. **Employment Use**

25. The site is an existing employment site, which has been vacant since March 2017. It was previously occupied by an MOT garage (Alan Lloyd Motors) Use Class B2 (general industrial), with a small element of independent B1 uses.

26. Paragraph 22 of the National Planning Policy Framework (NPPF) states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternatives uses should be treated on their merits having regard to market signals and the relative need for different land uses to support local sustainable communities.

27. Paragraph 51 of the NPPF directs that local authorities should normally approve planning applications for a change of use from buildings currently in a B class use to residential where there is an identified need for additional housing in that area, provided there are no strong economic reasons why such development would be inappropriate.

28. Core Strategy Policy CS11 states that the Council will build on the economic strengths of the Borough by promoting the development of a diverse and flourishing economy and ensuring that land and premises are available for both traditional industrial and office based employment activities (B1, B2 and B8 uses). The policy continues by directing that the Council will support the provision of flexible business space to meet the diverse needs of start-up, micro, small and medium sized enterprises (SMEs) including new and emerging sectors.

29. Policy DM17 seeks to protect existing employment land and premises. Alternative uses will not be accepted unless it has been demonstrated by sound evidence and rigorous marketing over a period of up to two years to demonstrate there is no quantitative or qualitative need for a range of employment uses. It goes on to say that mixed-use schemes should not result in a net loss of employment capacity (floorspace and/or land) and should not compromise the viability of the site and/or its surroundings for employment purposes. Residential uses within mixed-use schemes will not be appropriate where they would be incompatible with established employment uses, or be prejudicial to the site's continued operation for employment purposes.

30. The Planning Statement confirms that the existing site contains 845sqm B2 and B1 employment floorspace, the proposed scheme includes 470sqm, representing a loss of 375sqm of employment floorspace. No marketing evidence has been submitted as part of this proposal. The existing buildings on the site have been vacant since March 2017. They are of poor quality and in parts semi-derelict. The existing buildings on the site along with the restricted access arrangements renders the site unsuitable for most modern industrial or office occupiers, without significant improvements.

31. The proposal would provide new commercial floorspace as part of an efficient open plan commercial B1 office space. The proposed development would have the potential for an increased employment capacity when compared the existing use.

32. It is indicated within the planning statement that the layout of the site has resulted in inefficiencies in terms of the building layouts which has resulted in the underutilisation of the site. This is supported by the very low employment numbers on the site, prior to
it becoming vacant in March 2017. It is estimated that the site previously employed between 4-6 people compared to up to 39 people, when assessed using the 2010 HCA Employment Densities Guide, which suggests a B1 use would allow 1 FTE per 12sqm of gross floorspace.

33. In conclusion, it is considered the net loss in employment floorspace would be mitigated by its replacement with modern commercial floorspace more suited to the needs of an up-to-date occupant. As such, the proposal satisfies the requirements of Core Strategy Policies CS11 and DM17 and is therefore considered to be compliant with policy.

34. **Housing Delivery**

35. Policy 3.3 of the London Plan identifies the pressing need for more homes in London and sets an annual minimum requirement for housing supply of at least 643 new homes for Kingston between 2015 and 2025.

36. Core Strategy Policy CS10 states that the Council will take full advantage of opportunities to deliver new housing and, in particular maximise the delivery of affordable housing. Policy CS10 notes that preferred locations include areas with the greatest Public Transport Accessibility and areas in need of improvement or renewal. The proposal seeks to deliver 9 units.

37. Paragraph 17 of the National Planning Policy Framework directs that planning should encourage the effective use of land by reusing land that has been previously developed and should promote mixed use developments. The principle of providing housing on this site therefore is supported in principle.

38. **Density**

39. Policy 3.4 of the London Plan seeks to optimise housing output for different types of location within the relevant density range, whilst taking into account local context and the character and public transport capacity.

40. The site has a Public Transport Accessibility Level of part 4 (good) and part 3 (Moderate) and is an urban location/suburban. The London Plan's density range for an “urban” site with these characteristics is 200-700 habitable rooms per hectare and 55 - 225 units per hectare (for schemes with 3.1 - 3.7 habitable rooms per unit) or 150-350 rooms per hectare and 40-115 units per hectare for a “suburban” location. *(London Plan Density Matrix)*

41. 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). The site area, is measured as 1,574sqm or 0.15 hectares. 70% of the floorspace of the land containing the proposed building is residential. 70% of the 0.15 hectares equals 0.11 hectares (1,102sqm). In accordance with this methodology, the density is calculated as 82 dwellings per hectare or 249 habitable rooms per hectare, which is within the range identified in the London Plan density guidelines.

42. **Housing Quality and Mix**

43. Policy DM13 directs that new housing should be of high quality and meet the needs of the Borough. It further directs that development should provide at least 30% of the units as 3 bedroom or more units (family units). The proposal is compliant with this policy requirement and provides three 3 bedroom units. Policy DM13 states that the Council will expect proposals for new residential development to accord with London Plan policies, demonstrating that the scheme has been designed to provide adequate internal space appropriate to the intended number of occupants. National minimum space standards have been introduced and incorporated into the London Plan. The proposed units comply or exceed these minimum standards.

44. Policy DM13 states that appropriate amenity and play space should be provided for future occupants. Policy Guidance 13 of the Residential Design SPD states that developments should aim to deliver 50sqm of private garden space per 3 bedroom house, and 10sqm of private amenity space for each flat. Each of the proposed residential units would be provided with the private external amenity space, ranging between 13.3 sqm to 53.5 sqm. The three bedrooms units are provided with larger outside amenity areas of 32, 53 and 30 sqm. There is also communal outdoor space of 109 sqm. The proposed amount of private amenity space is generally considered acceptable and in accordance with policy.

45. One of the three bedroom family units (unit 2) would be fully accessible for wheelchair use in compliance with London Plan Policy, and secured by condition. It is noted that due to the size and nature of the development, it is not possible to provide lift access to the residential units.

46. **Affordable Housing**

47. The proposed development is for 9 units with a floor space of less than 1,000 sqm (822 sqm), it is not appropriate to seek affordable housing contribution from this small scale development (National Planning Practice Gudiance).

48. **Impact on Character of Area**

49. Policy DM10 states that development proposals will be required to incorporate principles of good design, including respecting, maintaining or enhancing the prevailing development typology, density, scale, layout, height, form (including roof forms), massing, landscape setting and features, plot width and format including spaces between buildings, building line, set back and front boundary.

50. Policy DM12 of the Councils LDF Core Strategy seeks to preserve or enhance the existing heritage assets of the Borough through the promotion of high quality design and a focus on heritage-led regeneration.

51. **Heritage Assessment**

52. The Park Road Conservation Area divides into four character areas: character area 1, Kingston Hill - grand in scale and often idiosyncratic in detail; character area 2,
Brunswick Road- more modest, of more consistent architectural detail; character area 3, Clifton Road and Orchard Cottages - includes houses and cottages from the 1870s to 1890s, secluded from the main routes and displaying more varied scale; character area 4 - links the three residential areas and forms a commercial focus at the road junction; it includes three parades of shops of differing character. The application site lies in character area 4.

53. The area is characterised by stately late-Victorian houses. The houses on Brunswick Road back on to the northern boundary of the site and are the closest buildings. The run of terraces and semi-detached dwellings to the south are defined by fine Victorian houses, several of these are locally listed. The particular significance of these building is achieved through their stately presence on the principal street frontage. These properties sit farther away from the boundary of the development site. The existing buildings on the site comprise workshop, garage and offices were developed over the course of the first half of the 20th century are of a clearly industrial character unrelated to the wider conservation area.

54. The site is accessed by a relatively narrow lane way off Park Road, meaning the principal development will be concealed from the street. This is particularly useful in mitigating any impact the scheme will have on the townscape and the conservation area.

55. The applicant is proposing a mew-styles development on former industrial land. In order to overcome the issue of visual intrusion, the bulk and height the scheme is proposed to be built nearly 2m below the present datum. This enables the buildings to closely replicate the existing general massing and envelope of the industrial buildings, with the building approximately a metre higher than the existing ridge height of the central workshop building. The proposal has been carefully designed to minimise issues of visual prominence.

56. In terms of appearance, the proposal is contemporary in character. The primary external material is London stock brick to reference the flank elevation of No. 14 Park Road. A secondary material of zinc cladding reflects the light industrial past of the site whilst taking cues from the colour of the neighbouring roofs. Articulated design and brick detailing is included in key areas of the elevation overlooking the mews. The materials are a thoughtful reference to the industrial heritage of the site. Samples of materials, together with design details should be reserved by condition.

57. The high-quality design ensures there is a neutral effect on the significance of the Conservation Area (preserves).

58. Design

59. Whilst the building footprint would cover much of the site, there are several key design features which give it a high-quality human scale. The most important is having a landscaped, pedestrianised entrance to the residential accommodation. The landscape details and materials will be critical in achieving this ambition and would be controlled by condition.

60. The materials and use of buff brick and heavier-style window frames thoughtfully invokes the previous use. The playful use of brick details, particularly above doors and along the shared access routes, indicates a high-level of care has been taken in the design of the scheme and provides visual interest to the future residents of the schemes.

61. None of the units are single aspect, and the proposal has been designed to maximise solar gain. The proposal incorporates some split level accommodation. This approach is supported as an appropriate way of achieving rational floor plans and providing high-quality accommodation. This provides the units with a sense of spatial cohesion and provision of roof top terraces, providing an interesting play on outdoor and indoor space. The applicant has also used the terraces to absorb the peculiar angles of the site,
meaning that the internal floor layout is square. This prevents the loss of usable floorspace through acute angles.

62. Overall, it is concluded that the design and form of the development, including the use of high quality materials would sit comfortably within this backland site. The scheme is thoughtfully designed to respond to the context within the Park Road Conservation Area, with the use of materials and forms that reference the site's industrial heritage.

63. **Impact on Residential Amenity**

64. Policy DM10 states that development proposals should have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, avoidance of visual intrusion and noise and disturbance.

65. The site is surrounded by residential properties in Park Road, Kingston Hill and Brunswick Road. The properties in Brunswick Road comprise substantial detached houses with relatively short garden (ranging between 8 and 9 m). The properties in Kingston Hill are also substantial detached and semi-detached houses (including flat conversions), with longer gardens and a greater degree of separation ranging between 25 and 35 metres from the application site. A small block of flats at 10-12 Park Road is located to the south of the application site with a 12 metre separation, together with the retained house at 14 Park Road.

66. As noted, the site would be part excavated so that the land levels would be approximately 2m lower than the existing.

67. On the northern side of the development an access route would be introduced, with the first and second floors set off the boundary by approximately 2.3 metres. The proposal would be approximately 1 metre higher than the ridge of the existing building and this massing would be set away from the boundary. This layout would safeguard lighting levels and outlook to these neighbouring properties. In terms of privacy, the proposal has been designed to prevent overlooking to the Brunswick Road properties, with the first floor windows set at very low level (to provide surveillance to the access road) which would be largely concealed behind the boundary wall. The windows at second floor level would be set at high level within the roof slope, which would protect the privacy to these neighbouring houses.

68. The existing building abuts the southern boundary and is approximately 5 metres in height. The proposed building would also adjoin the boundary, with the first floor and second floors stepped away from this boundary, so that the height and massing along the boundary itself would be significantly reduced along the majority of this boundary to approximate height of 3.5m. Rear terraces are introduced at first floor level served by large glazed openings, these would be fully screened by the boundary wall (1.8 metres above terrace level). At second floor level smaller terraces and glazed openings also proposed. The windows would be fitted with obscure glazing and the terraces contained within an obscure glazed balustrade a height of 1.7m, therefore safeguarding privacy to those properties to the east in Kingston Hill. Details of these measures would be secured by condition.

69. In terms of the relationship with the flats at 10/12 Park Road the proposed development would not be significantly greater in height and bulk, as it replaces an existing two storey structure with exiting terrace in this location. There are no windows along the southern elevation, and the end wall of the second floor terrace would be enclosed by a 1.7m high obscured screen to prevent overlooking.

70. A Daylighting and Sunlighting report has also been submitted which has examined the relationship with the most directly affected neighbouring residential properties located to the north of the site, fronting Brunswick Road. The rear elevations of these properties face south. The 25 degree section line shows that the proposed development would not intersect the twenty five degree line and, as such, would not give rise to any material
effects upon daylight by reference to the BRE guidance. The report has also confirmed that none of these gardens would receive a noticeable impact to shadowing as a result of the proposed development. In fact some of the gardens will receive an increase in the amount of sunlight received.

71. Whilst a proposal of this nature will inevitably have some impacts in terms of the effect on the amenity conditions of neighbouring properties, in this instance there would be some positive as well as negative implications. Overall, it is considered that the proposal would not cause any unreasonable loss of light, sunlight, outlook or privacy that could warrant grounds for refusal and the proposal is compliant with Policy DM10 in this regard.

72. **Highways & Parking**

73. **Parking**

74. Policy DM10 states that development proposals should have regard to local traffic conditions and highway safety and ensure that they are not adversely affected. Policy DM9 states that new development should not contribute to congestion or compromise highway safety. Policy CS7 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. Policy DM9 and the London Plan, as referenced in the Sustainable Transport SPD, state maximum residential parking standards for 3 bedroom units is 1 to 1.5 spaces and for 1-2 bedroom units is less than 1 per unit. The B1 office accommodation should provide 1 space per 100 sqm - 600 sqm.

75. The site has a good to medium public transport accessibility level, with a PTAL rating of between 3 and 4. There is a single yellow line on Park Road, preventing parking on street Monday - Saturday. The site is located within 5-6 minutes walk to Norbiton Train Station. There are also a number of buses that run along both Park Road and Kingston Hill. Kingston Hill is a designated cycle route, providing cycle access to Kingston Town Centre and the surrounding area.

76. The standards noted above indicate that the development site should provide a maximum of 1 space for B1 office use and a maximum of 10 spaces for the residential units. It is proposed that 8 spaces are provided for the residential units and 1 accessible space is provided for the B1 space. However, a flexible approach for the commercial space is sought as the exact operation is not known and there is the ability to divide it into three separate units, or stay as a single unit. Should the commercial space become three separate units, the applicant has suggested that it would be beneficial to increase parking provision for this portion of the site, with less parking provision for the residential 1 bedroom units. This option is not acceptable, and the remaining 8 spaces should be solely reserved for the residential flats. A car parking management plan would be secured by condition.

77. The London Plan requires 20% of residential parking spaces to be for electric vehicles with an additional 20% of passive provision (spaces that can be easily converted in the future). Two active and 2 passive electric vehicle spaces would be provided and secured by condition.

78. The application site is within the Canbury Zone B, Controlled Parking Zone which has limited on-street parking provision for residents and where on-street parking is heavily subscribed. The limited on-site car parking would result in added pressure for residents parking permits in the area therefore it would be necessary to ensure that the development was car capped to preclude residents from the residents parking permit scheme. Ideally it would also be appropriate to preclude all business users from
eligibility to the parking permit scheme. In this respect, the applicant has advised that they are agreeable to enter into an agreement to prevent residents from the on-street car parking scheme. However they have not agreed to accept the car capping agreement in totality on the commercial building, as this would undermine the viability of the employment floorspace. On the basis that parking permits are available to commercial businesses (each business can hold a maximum of three parking permits) the applicant seeks to allow the issue of up to 12 business permits for the proposed development. This assessment is based on previous occupation, prior to acquisition of the site with vacant possession, four separate businesses occupied the site (as confirmed by Business rates records), theoretically meaning that up to 12 business parking permits could have been issued for the existing site. This number of business permits is considered excessive, particularly as the office units are in a semi-derelict condition. Therefore a compromise position has been agreed to allow 3 business permits to be issued to supplement the 1 on-site parking spaces being provided. Officers consider that this compromise position is acceptable.

79. A Draft Travel Plan for the residential and commercial users has been submitted with this proposal, and a finalised travel plan would be secured by condition.

80. In order to comply standards, the development would need to provide 16 long term cycle parking spaces for the residential development and 4 long term spaces for the B1 use, and 2 short term spaces would have to be provided for B1 use. The development proposal meets the residential requirements by providing 16 secure spaces within the covered car park area. The development would also include 6 secure spaces within the building commercial premises as well as 3 secure short term spaces for visitors close to the office entrances.

81. Access

82. The Transport Assessment confirms that access to the rear of the site is currently via a driveway that varies in width and is approximately 2.3m at its narrowest point. The site would be accessed by this existing access road. The Transport Assessment advises that the number of vehicle movements to and from the new site is expected to be significantly less than for the previous use, a vehicle maintenance/MOT centre reliant on vehicle movements.

83. The residential development will generate both vehicular and cycle trips along with pedestrian movements. The type of development would mean families using the access with children and buggies. The minimum acceptable width for vehicles, cyclists and pedestrians to pass each other safely is 3.6 metres. Amended plans show a clear carriageway width of 3.6 metres narrowing to a pinch point of 2.85 before widening out to a width of 4.1 metres. The distance where the access width is less than 3.6 metres, is approximately 10 metres and the Neighbourhood Traffic Engineer advises that the arrangement is considered acceptable in this instance as it is a betterment and safer use than the existing MOT vehicle repair shop due to the reduced number and type of vehicle movements.

84. The applicant has been in communication with the London Fire and Emergency Planning Authority, who have provided written confirmation that the proposed access arrangement of the development is acceptable in terms of fire brigade access, due to the fact that sprinklers are to be installed.

85. The proposed use of the ground floor commercial space has been amended to limit it to B1 use only. On this basis it is considered that the size of delivery vehicles would be able to enter and exit the site in forward gear. A 'trade button' would be in operation for the car park area which would allow delivery drivers to access this area to turn around and this would enable all vehicles to exit the site in forward gear.

86. A refuse store is provided adjacent the entrance to the parking area. This is positioned
36m from the highway, which exceeds the minimum requirements (15m drag distance) set out in Residential Design SPD. Therefore, a private contractor would be employed at the site for refuse and recycling collections, to be secured by legal agreement.

87. **Trees**

88. There are 2 Oak Trees covered by Tree Preservation Order in close proximity to the site in the rear garden of 9 Kingston Hill. There is also a significant grouping of mature trees to the south of the site. Residents have raised objection to the proposal on grounds of the potential impact of the development on these trees.

89. The proposal is accompanied by a detailed Arboricultural report to assess the impact on trees in the vicinity of the site.

90. The Tree and Landscape Officer initially held concerns regarding the potential damage to trees and particularly to their rooting environments during construction, and with regards to boundary pruning.

91. Subsequently trial holes have adequately demonstrated the soil conditions at the site. Beneath the existing buildings is a highly compressed made ground down to a depth of more than 1 metre, with at least 400mm of concrete capping. Such an environment is not conducive to the growth of tree roots and even in the trial holes immediately adjacent to the largest of the trees, no roots were to be found. As such the Tree and Landscape Officer confirms that the concerns regarding the built form of the proposals including the basement have been adequately addressed.

92. In regard to the boundary pruning of existing trees, the description of works has been amended to clarify the exact method and degree of reduction works, with works greatly minimised to prevent harm to the most significant trees so as to retain the amenity and screening they offer to both the future redevelopment and to the existing residents. All works adjacent to trees would be overseen by a retained Arboricultural Consultant to ensure that no damage occurs to the trees and that any obstacles met are appropriately dealt with to the same ends.

93. As such, The Tree and Landscape Officer is satisfied that the proposal would not result in any significant impact on trees on neighbouring gardens, subject to appropriate safeguarding to ensure the development to be carried out as per the submitted and approved arboricultural documents and tree protection plan.

94. Within the site itself there is limited opportunity for landscaping. The external area at the far end of the access road is shown as a communal outdoor space, this would be hard surfaced with benching and planters etc. A small area of soft landscaping is provided at the far north of the site (commercial outdoor space). Full details of hard and soft landscaping would be reserved by condition.

95. **Legal Agreements**

96. Policy IMP3 of the Core Strategy 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.

97. On the 01 November 2015 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 and other site specific requirements which will still be dealt with by way of a S106 agreement.

98. The application would be liable to pay Kingston CIL which is presently set at £210/m2 of additional floor area in this location (Charging Zone 1). The application would also be
liable to pay Mayoral CIL which is presently set at £35/m2 of additional floor area.

99. 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. The additional GIA of the proposal is calculated to be 729 m2.

100. If planning consent is granted, a legal Agreement should be entered into covering:-

101. Car capping agreement:
   1. A requirement to preclude residents from applying for on street residents parking permits, including visitor parking permits and permits to park in Council owned car parks in the area;
   2. A requirement to inform potential buyers or tenants of the above exclusion to publicise the lack of parking provision in sales brochures.
   3. A restriction on the number of business parking permits issued for the commercial building, limited to 3 business permits in total.

102. Travel Plan monitoring fee contribution (£1000).

103. A carbon off-setting contribution of £24,654.

104. A requirement to ensure that waste and recycling collection is operated and maintained by a private collection service.

105. **Sustainability**

106. Policies 5.1 & 5.2 of the London Plan (2016) seek to achieve an overall reduction in London’s carbon dioxide emissions through a range of measures including using less energy, supplying energy efficiently and using renewable energy, and improving on Building Regulations targets including zero carbon residential buildings from 2016 and zero carbon non-domestic buildings from 2019 for major development proposals. The policy advises that where it is demonstrated that specific targets cannot be achieved on site, any shortfall may be provided off-site or through a cash in lieu contribution to the relevant borough. Relevant Core Strategy Policies include Policies DM1, DM2 and DM3 and Policy CS1 (Climate Change Mitigation) states that the Council will ensure that all development is designed and built to make the most efficient use of resources, reduce its lifecycle impact on the environment and contribute to climate change mitigation and adaption. This policy also requires new build developments of over 500sqm of non-residential developments, since 2013, to achieve BREEAM ‘Outstanding’. The non-residential element of the proposed scheme falls below this threshold and is instead encouraged to comply with the Council’s Sustainable Design and Construction SPD.

107. The submitted Sustainability Statement indicates that the development would incorporate appropriate sustainable design principles in accordance with the Mayor’s Sustainable Design and Construction SPG:
   i. The scheme includes a number of passive design measures including passive solar gain, natural daylighting, efficient building fabric, air leakage and ventilation;
   ii. PV panels to be included as part of the scheme - it is proposed to install a photovoltaic array of 8.502 kW on the flat roof of the building. This array will comprise 26 (327W) panels, which will be gently inclined on racks and orientated towards the south-east.
   i. Efficient lighting and controls will be included as active design measures;
   ii. Water efficient devices will be installed wherever possible and the water efficiency measures included in the apartments will ensure that the water use target of 105 litres per person per day is achieved; and
   iii. The scheme will use local material and suppliers where possible and sustainability sourced timber where practical and all insulation materials will
have a zero ozone depleting potential.

108. As the overall development is classified a major development, the target on site for the residential element should be zero carbon. The sustainability & energy statement concludes that the proposal would achieve 35.48% reduction in carbon emissions compared to the Building Regulations baseline. Therefore the carbon offsetting compensation required would be £24,654, and this is secured through legal agreement.

109. Other Material Considerations

110. Ecology

111. 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, green roofs and new or improved semi-natural habitats, where appropriate.

112. It is noted that residents have raised concerns about the potential impact on bats seen in garden areas.

113. An Ecology Report has been produced by Eight Associates following a phase 1 Habitat site survey undertaken on 30 August, 2017. The key finding can be summarised as follows:
   i. The existing site is predominantly covered hardstanding and buildings and is considered to be of negligible ecological value;
   ii. Following the site survey, no evidence of bats was observed and it is considered unlikely that there is any potential for bats to be using the site;
   iii. There are no other habitat present on site, which is considered to be suitable for protected species;
   iv. The only features considered to have potential for bats on the site were the mature trees on the boundary, which fall outside the scope of the proposed development. The areas of the trees to be affected by the site works were inspected for potential bat roosting features, however no bat roosting potential was observed. The branches of the trees are in good condition, with no broken limbs or flaking bark that could accommodate roosting bats - the majority of the branches are too small to provide a suitable roosting space. The trees along the southern boundary form a tree line that bats typically used to commute and forage along.

114. It is recommended within the ecology report that boundary trees be protected from impacts during site preparation and construction in line with the Arboricultural report.

115. An addendum to the ecology report provides assurance that external lighting would be considered (in line with Bat Conservation Trust guidelines) to ensure that no potential harm would occur to bats if they are present in the boundary trees or foraging in the area.

116. Biodiversity enhancement measures have been highlighted in the Ecology Report and Ecological Constraints and Opportunities Plan and include such measures as the installation of bird boxes/bricks, at least two bat boxes/bricks on the site; native fruiting and flowering shrubs and herbaceous planting in the ground floor communal area and rear garden, etc. Full details are reserved by condition.

117. Land Contamination

118. Policy DM 1 requires that new development should minimise air, noise and contaminated land impacts in line with industry best practice. Development proposals for contaminated land should include remediation measures. A Contaminated Land
Assessment has been prepared to establish the extent of any contamination or geotechnical issues present onsite, and any potential impact on the proposed development. This has been reviewed by the Environmental Health Officer who agrees with the recommendations that an intrusive investigation is required. Full details are reserved by condition.

119. **Air Quality**

120. The Environmental Health Officer has advised that given that the development is relatively small the impacts on air quality are not predicted to be significant. The construction phase is a period when there is the potential for concentrations of PM10 to become elevated if the activities are not managed properly. Therefore, a number of mitigation measures will need to be secured through the submission of a detailed Dust Management Plan.

121. **Disturbance during construction**

122. The existing boundary wall would be replaced with a new wall of uniform architectural treatment through a controlled process, in a strategic and sequential manner. The submitted documents detail that in terms of sequencing, first the existing buildings would be demolished but the perimeter walls retained. The retention of these walls would minimise the impact of the works on the neighbouring properties, ensuring that the existing gardens are not left exposed to an open construction site. Once the site is cleared of the existing rubble, a sequential boundary excavation and construction process would begin. The process consists of excavating a trench about 2m wide and 2m deep around the existing perimeter wall. Once the trench is complete, the existing wall would be underpinned, in preparation for a new wall to be erected. Finally the existing wall would be levelled and replaced with a new wall 2.4m high, with the top seven courses in latticed brick construction. To avoid exposing the gardens of all neighbours at once and for a prolonged period of time, the process described above will take place sequentially. The first phase will start with the eastern end of the site and progress westward, dealing with the boundary of two or three properties at a time.

123. **Flood Risk**

124. The site is within Flood Zone 1 and therefore at a low risk of fluvial flooding. A detailed Flood Risk and Drainage Assessment has been submitted with this application. This has been revised following initial concerns raised by the Flood Risk Officer, and is now considered to be acceptable and in compliance with London Plan Policy. A Finalised detailed drainage design is secured by condition.

125. **Access for all**

126. London Plan Policy 3.8 requires that 90% of new housing meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and that 10% of new housing meets Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.

127. As noted above, the layout and site constraints do not allow the provision of a lift. The entrances to both the commercial and residential accommodation are spread out along the street frontage of the "Mews", in a traditional manner. However, this approach gives rise to 4 separate entrances to the residential accommodation, along
the length of the "Mews". The first serving 2 flats at first floor level; the second serving 4 flats at first and second floor levels; the third serving 2 flats at first and second floor levels; and, the fourth serving a single flat at first floor level. Such an arrangement makes it impossible to provide passenger lift access to serve each of these groups of residential accommodation, as required by Building Regulations requirements M4(2) and M4(3), without destroying the form and character of the development.

128. All 9 of the proposed dwellings have been designed to meet Building Regulations requirements M4(1) Visitable dwellings in terms of access to the dwellings, with staircases of easy goings and with frequent landing (as required by the regulation). One of the dwellings has also been designed to be easily adaptable to meet the requirements of M4(3) wheelchair user dwellings, should the need arise.

129. Whilst only in draft form, the Draft London Plan Policy H2 has developed the policy further and sets out that for new build homes on sites capable of accommodating ten units or fewer that are not located on the ground floor do not need to meet M4(2) standards and can comply with M4(1) standard, which does not require step-free access. It is noted that National Planning Guidance acknowledges that where step-free access is not viable, neither requirements in Part M should be applied.

130. In this basis, the access arrangements are considered acceptable in these circumstances.

131. Archaeology

132. The Kingston upon Thames Archaeological Society have requested that archaeological surveillance be carried out during groundworks on these sites because they may all yield evidence of industrial activity before the First World War. However, the Greater London Archaeological Advisory Service (GLAAS), which provides archaeological advice to boroughs in accordance with the National Planning Policy Framework have considered the proposals and concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. They advise that the site does not lie within an archaeological priority area, and the existing building which covers the majority of the site will have disturbed the below ground deposits. The site also lies on London Clay, a geology which would have been unsuitable for early settlement. Finally, both historic maps and the Greater London Historic Environment Record suggests that the site is of limited archaeological interest. No further assessment or conditions are therefore necessary.

133. Basement Construction

134. The development proposes site excavation of approximately 2 metres to allow for ground floor level of the development to be partially below ground. An Impact Assessment of Below-Ground Development supports the application. The conclusions of the report are summarised below:
   i. The construction or condition of the grounds of the site and surrounding buildings do not suggest they cannot support the proposed development;
   ii. There is no active groundwater within the depth or perimeter of the site and no drains to be affected by the works or construction;
   iii. The subterranean works have been positioned to avoid any impact to nearby trees.

135. Overall, the report concludes that the site is suitable for a partially subterranean development and no constraints or conditions are identified that would prevent, or be affected by, the build.

136. Technical construction details would be controlled under the Building Regulations.
137. **Planning Balance**

138. Subject to the planning conditions outlined below it is considered that the development would not materially harm the amenities of surrounding residents in terms of loss of daylight/sunlight, noise/disturbance or overlooking. The proposal would safeguard neighbouring trees covered by TPO. The development would provide some parking on site utilising the existing narrow access road. It would also be car capped. The proposal would provide 9 market dwellings on the site and retain some employment use. As such, the development is considered acceptable and generally to comply with the London Plan 2016, and the LDF Core Strategy 2012. The planning application is therefore recommended for approval subject to planning conditions and legal agreement, both set out in this report.

**Recommendation:**

Approve subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), as specified in the above legal agreements section, and the following conditions:

1. The development hereby permitted shall be commenced within 3 years from the date of this decision.
   
   Reason: In order to comply with Section 91 of the Town and Country Planning Act, 1990. (As amended)

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

   - **GA 009-PL-2-Existing First Floor Plan**  20/10/2017
   - **GA 302-PL-5-Proposed First Floor Plan**  20/10/2017
   - **GA 301-PL-6-Proposed Ground Floor Plan**  20/10/2017
   - **GA 304-PL-4-Proposed Roof Plan**  20/10/2017
   - **GA 202-PL-5-Proposed Traffic and Waste Management Plan**  20/10/2017
   - **GA 008-PL--Existing Ground Floor Plan**  20/10/2017
   - **GA 303-PL-6-Proposed Second Floor Plan**  20/10/2017
   - **GA 201-PL-8-Site Plan As Proposed**  20/10/2017
   - **GA 901-PL-6-Schedule of Accommodation**  20/10/2017
   - **Ecology Report**  20/10/2017
   - **GA 002-PL-3-Site Plan As Existing**  20/10/2017
   - **Design and Access Statement Part 1**  20/10/2017
   - **Design and Access Statement Part 3**  20/10/2017
   - **Design and Access Statement Part 2**  20/10/2017
   - **Design and Access Statement Part 4**  20/10/2017
   - **Geo-Environmental Desk Study/Preliminary Risk Assessment Report**  20/10/2017
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A sample of the facing materials to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any above ground works on site are commenced. The development shall then be built in accordance with these approved samples.

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) and DM12 (Development in Conservation Areas and Affecting Heritage Assets) of the LDF Core Strategy Adopted April 2012.

The development shall be completed in accordance with the following key design details which shall have been submitted to and approved in writing by the Local Planning Authority, before building operations commence. Details shall be submitted at a scale of 1:5 or similarly appropriate of:

i) brick feature elements,

(ii) window details and reveals,

(iii) roofing details, and

(iv) balustrades, including fixing mechanism and materials

(v) canopies

(vi) doors
(vii) car park gate
(viii) PV panels

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) and DM12 (Development in Conservation Areas and Affecting Heritage Assets) of the LDF Core Strategy Adopted April 2012.

5 Prior to the commencement of the development an Environmental Construction Method Statement/Dust Management Plan shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance, in accordance with Policy DM10 of the LDF Core Strategy Adopted April 2012. The imposition of a pre-commencement condition is required to safeguard the environment and local amenity.

6 The site and building works required to implement the development shall be only carried out between the hours of 08.00 and 18.00 Mondays to Fridays and between 08.00 and 13.00 on Saturdays and not at all on Bank Holidays and Sundays.

Reason: To safeguard the amenities of the adjoining residential occupiers in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

7 Prior to commencement of development works, a contaminated land assessment shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To prevent harm to human health and pollution of the environment. The imposition of a pre-commencement condition is required to safeguard the environment and local amenity.

8 Should remedial works be required, the remedial strategy shall be submitted to and agreed in writing by the Local Planning Authority, prior to the commencement of the development works and remedial works. On completion of the agreed remedial works, a closure report and certificate of compliance endorsed by the interested party/parties, shall be submitted to and agreed in writing by the Local Planning Authority, prior to the occupation of the site by end users.

Reason: To prevent harm to human health and pollution of the environment. The imposition of a pre-commencement condition is required to safeguard the environment and local amenity.

9 If during implementation of this development, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and a specific contaminated land assessment and associated remedial strategy shall be submitted to and agreed in writing by the Local Planning Authority before the additional remediation works are carried out. The agreed
strategy shall be implemented in full prior to completion of the development hereby approved.

Reason: To prevent harm to human health and pollution of the environment.

10 Prior to the commencement of any above ground level works forming part of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority and the Metropolitan Police SW Designing Out Crime Office, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities and in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

11 The development shall not be occupied until a sprinkler system has been installed within each flat, which shall subsequently be maintained for the lifetime of the development.

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

12 Prior to commencement of works (excluding site investigations), the applicant must submit a final detailed drainage design including drawings to the Lead Local Flood Authority for review and approval. Where amendments have been made from the approved Surface Water Drainage Strategy Rev D (January 2018), revised calculations, Drainage Assessment Form and maintenance plan must be submitted to demonstrate that runoff rates will be restricted to 2 l/s.

Reason: To prevent the risk of flooding to and from the site in accordance with relevant policy requirements including but not limited to London Plan Policy 5.13, it's associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Kingston Council's Core Strategy Policy DM4. The imposition of a pre-commencement condition is required to safeguard the environment and local amenity.

13 Prior to occupation, evidence (photographs and installation contracts) must be submitted to demonstrate that the sustainable drainage scheme for the site has been constructed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy
Framework (Paragraph 103), the London Plan (Policies 5.12 and 5.13) along with associated guidance to these policies and Kingston Council’s Core Strategy Policy DM4 of the LDF Core Strategy Adopted April 2012.

14 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to be taken to minimise noise and vibration and to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure and the potential to cause significant noise disturbance.

15 Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Kingston upon Thames.

Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the Royal Borough of Kingston upon Thames, Street Works Section, (telephone 020 8547 5982). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.

Reason: In order to minimise disruption to road users, be they pedestrians or vehicular traffic, under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. In order to satisfy the licensing requirements of the Highways Act 1980.

16 Prior to the commencement of development the developer/construction contractor shall sign up to the Non-Road Mobile Machinery Register. The development shall be carried out in accordance with the NRMM Regulations and the inventory of all NRMM used on site shall be maintained and provided to the Local Planning Authority upon request to demonstrate compliance with the regulations.

Reason: To reduce the emissions of construction and demolition in accordance with the Mayor of London Control of Dust and Emissions during Construction and Demolition SPG July 2014. Compliance is
required to be prior to commencement due to the potential impact at the beginning of the construction.

17 The unit identified as adaptable for wheelchair use (unit 2) shall be designed and built in accordance with the requirement M4(3) of Part M of Building Regulations.

Reason: To ensure that the development provides a range of homes to meet different needs and to ensure compliance with Policies 3.5 and 3.8 of the London Plan March 2015 and Housing Standards MALP December 2015.

18 The development shall be implemented in accordance with the details and recommendations set out within the accompanying Sustainability and Energy Statement prepared by BlueSky Unlimited, including the provision of photovoltaic array of 8.502 kW on the flat roof of the building comprising 26 (327W) panels (the design details of the PV panels are secured by Condition 4).

Reason: In the interests of sustainability and energy conservation in accordance with Policies 5.2 (Minimising Carbon Dioxide Emissions) and 5.3 (Sustainable Design & Construction) of the London Plan (2016) and Policy DM1 (Sustainable Design and Construction Standards) of the LDF Core Strategy Adopted April 2012.

19 Within 3 months of first occupation, evidence must be submitted to the council confirming that the development hereby approved has achieved not less than the CO2 reductions outlined in the accompanying Sustainability and Energy Statement prepared by BlueSky Unlimited, unless otherwise agreed in writing.

Reason: In the interests of sustainability and energy conservation in accordance with Policies 5.2 (Minimising Carbon Dioxide Emissions) and 5.3 (Sustainable Design & Construction) of the London Plan (2016) and Policy DM1 (Sustainable Design and Construction Standards) of the LDF Core Strategy Adopted April 2012.

20 Notwithstanding the information submitted in support of the application, within 6 months from the commencement of the superstructure works of the development, the details of the dynamic thermal modelling, being applied to a range of dwellings including top, middle and ground floor, using the guidance and criteria provided in CIBSE TM59 & TM49 and demonstrating how these units perform against and even exceed the overheating criteria, shall be submitted to the Local Planning Authority for written approval. The details of any additional measures to be incorporated into the dwellings to minimise the risk of overheating (without active cooling) shall also be submitted and evidence that these measures can be incorporated into the development if the dynamic thermal modelling demonstrates that overheating would occur. The dwellings shall thereafter be provided in accordance with the approved details.

Reason: In the interests of sustainability and energy conservation in accordance with Policies 5.2 (Minimising Carbon Dioxide Emissions) and 5.3 (Sustainable Design & Construction) of the London Plan
(2016) and Policy DM1 (Sustainable Design and Construction Standards) of the LDF Core Strategy Adopted April 2012.

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

Reason: To ensure that the appearance and functioning of the development is satisfactory and to safeguard the amenities of adjoining occupiers in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012 and comply with Supplementary Planning Document ‘Access for All’ (July 2005). The imposition of a pre-commencement condition is required to safeguard the environment and local amenity.

22 All works on site shall take place in accordance with the following details which shall have previously been submitted to and approved in writing by the Local Planning Authority prior to the commencement of work:

(a) Provision for loading/unloading materials.
(b) Storage of plant, materials and operatives vehicles.
(c) Temporary site access.
(d) Signing system for works traffic.
(e) Measures for the laying of dust, suppression of noise and abatement of other nuisance arising from development works.
(f) Location of all ancillary site buildings.
(g) Measures to protect any tree, shrubbery and other landscape features to be retained on the site during the course of development.
(h) Means of enclosure of the site during construction activities.
(i) Wheel washing equipment.
(j) The parking of vehicles of the site operatives and visitors.
(k) The erection and maintenance of security hoarding.
(l) A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In order to safeguard the amenities of the surrounding residential occupiers and to safeguard highway safety and the free flow of traffic in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012. The imposition of a pre-commencement condition is required to safeguard the environment and local amenity.

23 No fans, louvres, ducts or other external plant other than those shown on the drawings hereby approved shall be installed without the prior written approval of the Local Planning Authority.
Reason: To safeguard the amenities of the occupiers of the neighbouring properties and the visual amenities of the area in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

No above ground level development shall commence until a detailed hard and soft landscaping scheme including where applicable the retention of the existing trees shall have been submitted to and approved in writing by the Local Planning Authority. The detailed landscape and planting plan shall include details of hard materials; paving junctions; cycle stands; plant species, sizes and densities; details of tree pits, and terrace planting scheme.

The approved scheme shall be implemented within the first planting season following completion of the development and the tree planting and landscaping shall thereafter be maintained for five years to the satisfaction of the Local Planning Authority. Any trees or shrubs which die during this period shall be replaced in the first available planting season, and the area shown to be landscaped shall be permanently retained for that purpose only.

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

The development shall be implemented in accordance with the recommendations and mitigation measures set out in the Arboricultural Impact Assessment and Method Statement, prepared by Mark Savage & Associates. The protection scheme shall be implemented prior to commencement of any work on site and maintained to the reasonable satisfaction of the Local Planning Authority until the completion of the development.

Reason: These details are required prior to commencement to ensure appropriate protection prior to demolition works and in the interests of visual amenities and so that the Local Planning Authority shall be satisfied as to the details of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

Prior to commencement of the relevant part of the development a detailed hard landscaping scheme shall have been submitted to and approved in writing by the Local Planning Authority. The detailed landscape plan shall include details of hard materials, details of paving junctions, cycle stands, etc.

The approved scheme shall be implemented prior to occupation of the development and shall thereafter be maintained thereafter.

Reason: In the interests of visual amenity and also that the Local Planning Authority shall be satisfied as to the details of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions)
of the LDF Core Strategy Adopted April 2012. The imposition of a pre-commencement condition is required to safeguard the environment and local amenity.

27 Prior to commencement of any above ground level works, a detailed waste management plan for the commercial units and for the residential flats, including details of refuse storage facilities and recycling facilities, and the collection strategy, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, and such facilities to be permanently retained at the site.

Reason: To ensure the provision of refuse facilities to the satisfaction of the Council in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

28 A finalised Green Travel Plan, containing a package of measures for reducing the number of vehicle trips to the site by residents, staff and visitors, shall be implemented upon the development being brought into first use, and in accordance with details to be submitted to, and approved by the Local Planning Authority prior to the occupation of the development. The Travel Plan shall include an action plan with timescales for the implementation of the proposed measures, details of an ongoing programme of monitoring and review and targets for reductions in car use. Monitoring and review shall include the submission of annual travel plan update report for the approval of the Local Planning Authority which contains the results of annually repeated staff travel surveys and demonstrates progress towards meeting targets.

Reason: To ensure that sustainable transport methods are encouraged and implemented in accordance with Policies CS5 (Reducing the Need to Travel) and CS6 (Sustainable Travel) of the LDF Core Strategy Adopted April 2012.

29 Details of the external lighting strategy shall be submitted to and agreed in writing by the Local Planning Authority prior to any commencement of above ground works. The lighting strategy shall be designed to avoid adverse effects on the commuting route for bats, and should be designed in line with the Bat Conservation Trust's guidance. The scheme should, at a minimum, include the following:

- The avoidance of direct lighting of existing trees, or proposed areas of habitat creation /landscape planting.
- Unnecessary light spill controlled through a combination of directional lighting and hooded /shielded luminaires or strategic planting to provide screening vegetation.
- Where appropriate, luminaires on the site boundary could be fitted with light baffles to prevent light spill onto adjacent habitats.

Reason: To safeguard and protect the sites bio diversity and nature conservation value in accordance with Policy DM6 (Biodiversity) of the LDF Core Strategy Adopted April 2012.
The development shall be implemented in accordance with the recommendations and enhancements set out within the accompanying Ecology Report, the Addendum Ecology Report and the Ecology Constraints and Opportunities Plan, all prepared by Eight Associates.

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

Prior to commencement of works to any trees on site, a nesting bird survey, limited to the trees located on the southern boundary of the site, shall be carried out by a suitably qualified ecologist, in accordance with a written report and recommendation to be submitted to and approved in writing by the local planning authority.

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

Before any occupation of the development the windows in the south east elevation at second floor level of the building hereby permitted, shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing of a patterned type only which shall thereafter be retained as such.

Reason: To protect the amenities and privacy of the occupiers of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

Prior to any above ground level works, full details of the 1.7m privacy screening/balustrading to the second floor terraces shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built and maintained in accordance with the agreed details.

Reason: To protect the amenities and privacy of the occupiers of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

The garage or car parking accommodation shown upon the approved drawings shall be provided with a hard bound dust free surface, adequately drained before the development to which it relates is occupied and thereafter it shall be kept free from obstruction at all times for use by the occupier of the development and shall not thereafter be used for any purposes other than the parking of vehicles for the occupiers of the development and visitors to it.

Reason: To ensure the provision of adequate off-street parking accommodation and to avoid the congestion of surrounding roads by parked vehicles in accordance with Policy DM10 (Design...
Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

35 Prior to any above ground level development, details of the spaces for electric charging to provide 20% of all spaces for electric vehicles with an additional 20% passive provision for electrical vehicles in the future, shall be submitted to and approved in writing. The car park shall then be laid out and maintained in accordance with the agreed details.

Reason: To ensure the development provides suitable and usable locations for sustainable travel in accordance with Policy DM9 Managing Vehicle Use for New Developments of the LDF Core Strategy Adopted April 2012.

36 A Car Park and Servicing Management Plan, including the allocation of parking spaces to the residential flats and a single space for the commercial unit, shall be submitted to and approved in writing by the local planning authority 6 months prior to anticipated first occupation of the first residential unit. The management plan shall also include details about the trade arrangements and the "trade button". The development shall be carried out in accordance with the approved details.

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

37 Prior to commencement of any development on site, a Construction Management Plan shall be submitted to the planning authority for written agreement, which shall include the following details:

a) Where materials will be (un) loaded into the site;
b) The route to and away from site for muck away and vehicles with materials;
c) Whether any reversing manoeuvres are required onto or off the public highway into the site, and whether a banksman will be provided;
d) Protocol for managing deliveries to one vehicle at a time on sites with restricted access or space;
e) Protocol for managing vehicles that need to wait for access to the site;
f) Whether it is anticipated that statutory undertaker connections will be required into the site.
g) Means of enclosure of the site during any works inc. demolition

The development shall only be implemented in accordance with the details and measures approved as part of the construction
management plan, which shall be maintained throughout the entire construction period.

Reason: In order to safeguard the amenities of the surrounding residential occupiers and to safeguard highway safety and the free flow of traffic in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012. The imposition of a pre-commencement condition is required to safeguard the environment and local amenity.

38 The rating level of the noise determined by the cumulative sound emissions of any plant shall be at least 5dBA lower than the existing background noise level at any given time of operation. The noise levels shall be measured or predicted 1m externally to any window at the nearest residential façade. Measurements and assessment shall be carried out in accordance with British Standard 4142:2014

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

39 The development hereby permitted shall not be occupied until details of secure cycle parking facilities (including specification of racks and detailed layout) for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

40 The development shall be implemented in accordance with the details and recommendations set out in the Boundary Wall Outline Construction and Method Statement.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance, in accordance with Policy DM10 of the LDF Core Strategy Adopted April 2012.

Informatives:

1 In respect of the land contamination assessment and mitigation required by conditions 8 -10, The contaminated land assessment shall include: -
   a) a site investigation, including relevant soil gas surface and groundwater sampling, carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
b) a site investigation report, in accordance with BS 5930:1999 (Code of Practice for Site Investigations & BS10175: 2001 Code of Practice Investigation of Potentially Contaminated Sites) detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remedial strategy.

   c) All work should generally be in accordance with the Environmental Protection Act 1990 (Part IIA), Statutory Guidance on Contaminated Land together with other relevant legislation and guidance as described in the DETR documents Contaminated Land Research Reports, CLR Series, 1994.

Any remediation works necessary shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

The closure report shall include details of the proposed remedial works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean up criteria shall be included in the closure report together with the necessary "Duty of Care" documentation detailing what waste material have been removed from the site.

All work should be in accordance with the HSE document "Protection of workers & the general public during the development of Contaminated Land".

2 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form or our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

3 Thames Water advise that with regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

They also advise that Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are
situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water’s ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

4 Any vehicular crossing must be constructed in accordance with the provisions of the Highways Act 1980 by the Service Director (Planning & Transportation) (Highways), Directorate of Environmental Services, Guildhall II, Kingston upon Thames.

5 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
   • carry out work to an existing party wall;
   • build on the boundary with a neighbouring property;
   • in some circumstances, carry out groundwork’s within 6 metres of an adjoining building.
Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in “The Party Walls etc. Act 1996 - Explanatory Booklet”.

6 Your attention is drawn to the fact that planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

7 Street Naming and Numbering
Kingston Council has a statutory duty to officially name streets and number properties within streets. As your planning application is likely to require address changes, you are obliged to contact the Street naming and numbering team to request official registration in accordance with Part II of the London Buildings Act 1939. Failure to do this could result in delays/omissions by the post office, emergency services and other service providers. You can submit your application online via our website www.kingston.gov.uk or via
email to snn@kingston.gov.uk. Alternatively, if you do not have internet access please call 020 8547 4606.

8 The development approved by this planning permission will be liable to pay the Mayor of London’s Community Infrastructure Levy (MCIL). Payment will be due once the owner/developer serves a development Commencement Notice on the Council, and a payment Demand Notice has been received by the owner. Failure to submit a Commencement Notice will incur a surcharge of 20% of the chargeable amount or £2,500, whichever is the lower amount. When you have discharged all pre-commencement conditions the Council will issue a Liability Notice to the owner setting out the MCIL calculation. Accompanying the Liability Notice will be a blank Commencement Notice and if necessary a blank Assumption of Liability form, both of which need to be completed and returned to the Council prior to development commencing. A failure to do so will incur a surcharge.

Should you have any questions in respect of the contents of this letter or the MCIL more generally, please contact the Council’s Contact Centre by email mcil@rbk.kingston.gov.uk or phone 0208 547 5002.

9 The development approved by this planning permission will be liable to pay the Mayor of London’s Community Infrastructure Levy (MCIL). Payment will be due once the owner/developer serves a development Commencement Notice on the Council, and a payment Demand Notice has been received by the owner. Failure to submit a Commencement Notice will incur a surcharge of 20% of the chargeable amount or £2,500, whichever is the lower amount.

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

Should you have any questions in respect of the contents of this letter or the MCIL more generally, please contact the Council’s Contact Centre by email mcil@rbk.kingston.gov.uk or phone 0208 547 5002.