South of the Borough Neighbourhood Committee: 7th June 2018

Planning Consultation (16/10482/FUL): Development Land at 1 Hook Rise South

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

Recommendation
It is RECOMMENDED that the Committee express its views on the application so that the Development Control Committee can consider them when it determines this planning application.

Key Standards Dashboard

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

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

2. The proposal site was previously occupied by a series of uniform two storey, largely temporary, buildings which ran perpendicular to the A3. The proposal site once included a public house (now demolished) adjacent to the Hollywood Bowl and the Marshall House office building (now demolished) adjacent to Tolworth railway station. The Hollywood Bowl, a 1960s built bowling alley remains operational but outside the application site boundary. The proposal site is now unoccupied and has been vacant for over a decade. Permission was granted for a temporary 3 year consent under planning application reference 15/10078/FUL for the use of the land as Use Class B8 (Open Storage) on the 11th November 2015. The land has now been cleared.
3. The areas to the west of the site are characterised by 1930s/1940s residential development. Tolworth railway station is located on the south eastern tip of the site. Pedestrian access linking the site to the district centre and surrounding residential areas is via a network of subways and footbridge over the A3.

4. Tolworth District Centre lies immediately north of Tolworth roundabout, clearly landmarked by Tolworth Tower. The district centre consists of a mix of retail and service uses.

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

**Appeal**

6. This site has been the subject of a recent Appeal Decision (September 2017) for a residential led, mixed-use scheme consisting of buildings ranging from 3 to 18 storeys in height, providing 705 residential dwellings (Use Class A3); a mixture of Class A1/A3/D1/D2/B1 floor space (to include a 262sqm retail convenience store, a doctors surgery and day nursery) with associated car parking and bus interchange. Although the Secretary of State concluded that the site was capable of successfully accommodating the proposed housing density and that the proposed levels of parking provision would not be an unacceptable drawback of the scheme. The Appeal was dismissed for the reason that the legal agreement did not secure affordable housing and the necessary contribution to the strategic roundabout works, which were considered necessary to mitigate the additional traffic that would be generated by the proposed development. This decision is a material consideration.

**Proposal**

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

8. The matters of Appearance and Landscaping are to be reserved with Means of Access, Layout, and Scale to be determined.

9. The phases would consisting of:

   **Detailed Phase:**
   - **Phase 1:** 211 residential units in Blocks D1, D2 and D3 which consist of a part 10 (34.6 metres in height), part 8 (28.1 metres in height), part 2 storey (6.8 metres in height) building with two single storey podiums (3.5 metres in height) for a total combined width of 87.4 metres and 54
metres in depth at its deepest, a ground floor Nursery (Class D1), Community Facility (Class D1), temporary energy centre, 60 car parking spaces, a Café (Class C3), a Bus layover, stop and driver facilities, landscaping, highways works to Hook Rise South, Toby Way, Kingston Road and Lansdowne Close and enhanced cycle and pedestrian links along Hook Rise South and Kingston Road.

**Outline Phases:**

- **Phase 2:** Blocks G1 and G2 consisting of two 10 storey buildings with three 2 storey high podiums, Police welfare centre, enlarged community facility for phase 1, site management office and permanent energy centre;
- **Phase 3:** Blocks F1 and F2 consisting of two 8 storey buildings with three 2 storey high podiums;
- **Phase 4:** Blocks A1, A2, B1, B2, C1, C2 and C3 consisting of a part 2, part 4 storey building; a 5 storey building; a part 6, part 5, part 2 storey building with a single storey podium and a part 8, part 7, part 6, part 2 storey building with a two single storey podium respectively, final landscaping, highways works to Hook Rise South;
- **Phase 5:** Block H consisting of a 8 storey building and cycle hub; and
- **Phase 6:** Block E consisting of a part 8, part 6, part 1 storey building, doctors surgery and retail unit.

10. Proposed Legal Agreement Contributions:

- £50,000 towards interim A3 Roundabout Works;
- £582,250 towards the extension of the 281 bus route;
- £300,000 towards the cost of an additional bus during peak hours;
- A bus interchange consisting of a bus stop, shelters and a drivers facility;
- £2.5 million to contribute towards a strategic solution to the Tolworth roundabout;
- 3 years free car club membership for each unit and a minimum of 8 car club spaces;
- The requirement to secure a car club operator;
- An oyster card with £60 credit for each unit;
- £30,000 towards parking surveys; and
- £4,500 towards Travel Plan monitoring.

The total highways financial contribution agreed will therefore be £3,466,750.

11. In addition, a series of S278 works will be required.

12. Following negotiation with officers, the development will be providing 285 (30%) affordable housing units instead of the originally offered 125 (13.18%) affordable housing units. This will be subject to a review mechanism requiring the submission of a viability review with the Reserved Matters applications for the 2nd and 4th phases.

13. The legal agreement will also secure:

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

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

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

16. 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.

Consultations

17. 2401 neighbouring properties have been consulted and the application was advertised by a site notice and a press notice.

18. 30 letters of objection from 29 residents and a joint objection from the Day Group, London Concrete and London United Busways have been received stating the following concerns:

  - Concern about the design and build time;
  - Too dense and too many units;
  - Should include housing for homeless people;
  - Lack of affordable housing;
  - Concerns of level of car parking and impact on highways;
  - Lack of trains at Tolworth station;
  - 281 extension is unnecessary and would cause delays to the service;
  - Impact on surrounding residential amenity;
  - Increase in air pollution;
  - Impact of the poor air quality on the residents of the development;
  - Increased flooding;
  - Water, drainage and electricity facilities should be improved to take additional development;
- Pressure on school places, health and health services;
- No benefit to Tolworth or the local community;
- Site should be used for leisure facilities, a cinema, restaurants or a shopping centre instead;
- Prejudice the ability of the Day Group Aggregates, London Concrete batching plant and London United bus depot to operate by way of the noise generated by the sites and potential complaints from new residential units; and
- Noise assessment inaccurate.

19. Statutory and Non Statutory Consultation

Environment Agency: No comments.
Health and Safety Executive: No objection.
Historic England GLAAS: No objection, subject to conditions and informatives.
London Fire Brigade: No objection subject to the provision of an additional fire hydrant. This would be secured by way of a condition.
Metropolitan Police: Requested a 12sqm space within the development for welfare facilities for Metropolitan Police officers within Tolworth.
Metropolitan Police Designing out Crime Officer: No objection, subject to the application meeting BS5489:2013 – Lighting.
Natural England: No objection.
Network Rail: Stated that the proposed development would not have a detrimental impact on the capacity of Tolworth station or cause overcrowding on the trains using Tolworth station. However, they have expressed concern about the impacts of a residential development next to their Strategic Rail Freight terminus and have asked the LPA to ensure that measures are taken to ensure that their operations would not be adversely affected.
Sport England: Objects to the application not providing enough sporting facilities. However, Sport England have provided a calculation using Sport England’s Sports Facilities Calculator (SFC) which calculates the likely demand that will be generated by a development for certain types of facility. The SFC indicates that a potential population of 2,375 will generate a demand for:

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

Thames Water: No objection, subject to conditions and informatives.
Transport for London (TfL): No objection to the proposed level of car parking and trip generation from the development, subject to conditions, a S278 agreement and S106 contributions which include a £2.5 million contribution to a Strategic Highway Solution for Tolworth, a contribution to increasing the frequency of the route 281 bus, a contribution and infrastructure towards extending the route 281 bus service and other highways mitigation measures for the scheme.
UK Power Networks: No objection, subject to an informative.
Epsom and Ewell Borough County Council: No objection.
Greater London Authority (GLA): Stated support for the principle of the scheme, including the density. However, in the Stage I report, the following concerns were raised:

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

Officer Comment: The affordable housing offer has increased to 30% and the children’s play space is at a policy compliant level in the detailed phase and indicative outline phases.

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

Surrey County Council: No objection.

Achieving for Children: Stated support for the application, subject to the provision of day nursery providing a year round facility, open for a minimum of 51 weeks Monday to Friday between at least 7:30am and 6:30pm.

Royal Borough of Kingston (RBK) Climate Change and Sustainability Officer: No objection to the proposed energy and sustainability levels of the buildings, subject to conditions and a Carbon Offset S106 payment.

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

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

RBK Neighbourhood Traffic Engineer: No objection to the proposed level of car parking, subject to conditions. However, concerns have been raised regarding the predicted queue lengths on Toby Way however, TfL have provided further modelling since these comments. Concerns have also been raised over the proposed 40% electric car only car parking spaces as they are not convinced as to the take up of the spaces in the future.

RBK Clinical Care Group (CCG): No response received.

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

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

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

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

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

BACKGROUND PAPERS held by Martin Holley (author of this report)
Tel. 020 8547 5365
Email martin.holley@kingston.gov.uk