(c) Crown Copyright. All right reserved. Royal Borough of Kingston 2007. Licence number 100019285.

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

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

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

Planning Policy

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

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

Policies

LONDON PLAN MARCH 2016
(consolidated with alterations since 2011)
LP 1.1 Delivering the strategic vision and obje
LP 2.6 Outer London: vision and strategy
LP 3.3 Increasing housing supply
LP 3.4 Optimising housing potential
LP 3.5 Quality and design of housing developmen
LP 3.8 Housing choice
LP 5.1 Climate change mitigation
LP 5.13 Sustainable drainage
LP 5.15 Water use and supplies
LP 5.17 Waste capacity
LP 5.3 Sustainable design and construction
LP 5.7 Renewable energy
LP 5.9 Overheating and cooling
LP 6.13 Parking
LP 6.9 Cycling
LP 7.4 Local character
LP 7.6 Architecture
LP 8.2 Planning obligations
LP 8.3 Community infrastructure levy
LDF CORE STRATEGY CORE POLICIES
CS 01 Climate Change Mitigation
CS 02 Climate Change Adaptation
CS 03 The Natural and Green Environment
CS 07 Managing Vehicle Use
CS 08 Character, Heritage and Design
CS 10 Housing Delivery
LDF CORE STRATEGY DEVELOPMENT MANAGEMENT
DM01 Sustainable Design and Construction Stan
Consultations

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

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

RBK Highways and Transportation

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

Tree and Landscape Officer

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

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

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

**Proposal**

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

**Assessment**

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

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

**Principle of Proposed Development**

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

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

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

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

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

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

**Loss of Family Housing**

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

**Housing Quality and Mix**

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

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

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

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

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

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

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

Impact on Character of Area

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

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

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

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

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

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

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

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

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

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

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

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

**Impact on Neighbours’ Residential Amenity**

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

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

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

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

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

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

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

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

**Highways and Transportation**

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

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

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

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

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

Trees

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

Legal Agreements

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

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

Sustainability

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

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

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

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

Other Material Considerations

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

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

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

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

Conclusion/Planning Balance

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

Recommendation:

Approve subject to a legal agreement and the following conditions:

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

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

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

<table>
<thead>
<tr>
<th>Dwg No.</th>
<th>Description</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>17116</td>
<td>Site Location Plan</td>
<td>15/04/2019</td>
</tr>
<tr>
<td>17116</td>
<td>Site S101-Survey</td>
<td>15/04/2019</td>
</tr>
<tr>
<td>17116</td>
<td>Existing Site Elevations</td>
<td>15/04/2019</td>
</tr>
<tr>
<td>17116</td>
<td>Proposed Block Plan</td>
<td>13/05/2019</td>
</tr>
<tr>
<td>17116</td>
<td>C201-Coloured Site Layout</td>
<td>13/05/2019</td>
</tr>
<tr>
<td>17116</td>
<td>Proposed Site Sections</td>
<td>13/05/2019</td>
</tr>
<tr>
<td>P203</td>
<td>Proposed Site Sections</td>
<td>13/05/2019</td>
</tr>
<tr>
<td>17116</td>
<td>P201 Rev D-Proposed Site Layout – Ground Floor Plan</td>
<td>15/04/2019</td>
</tr>
<tr>
<td>17116</td>
<td>P202 Rev B-Proposed Site Layout – Roof Plan</td>
<td>15/04/2019</td>
</tr>
<tr>
<td>17116</td>
<td>P214 Rev C-Proposed Schematic Floor Plans Plots 1-9</td>
<td>15/04/2019</td>
</tr>
<tr>
<td>17116</td>
<td>P215 Rev B-Proposed Outline Elevations</td>
<td>15/04/2019</td>
</tr>
<tr>
<td>VAN219</td>
<td>Landscape Proposals Schedule of Accommodation</td>
<td>15/04/2019</td>
</tr>
</tbody>
</table>
Reason: For the avoidance of doubt and in the interests of proper planning.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Informative(s)

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

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

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

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

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

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

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

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

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

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

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

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

12. Highway Cleaning

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

13. Road Condition Survey

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

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

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

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

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

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

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