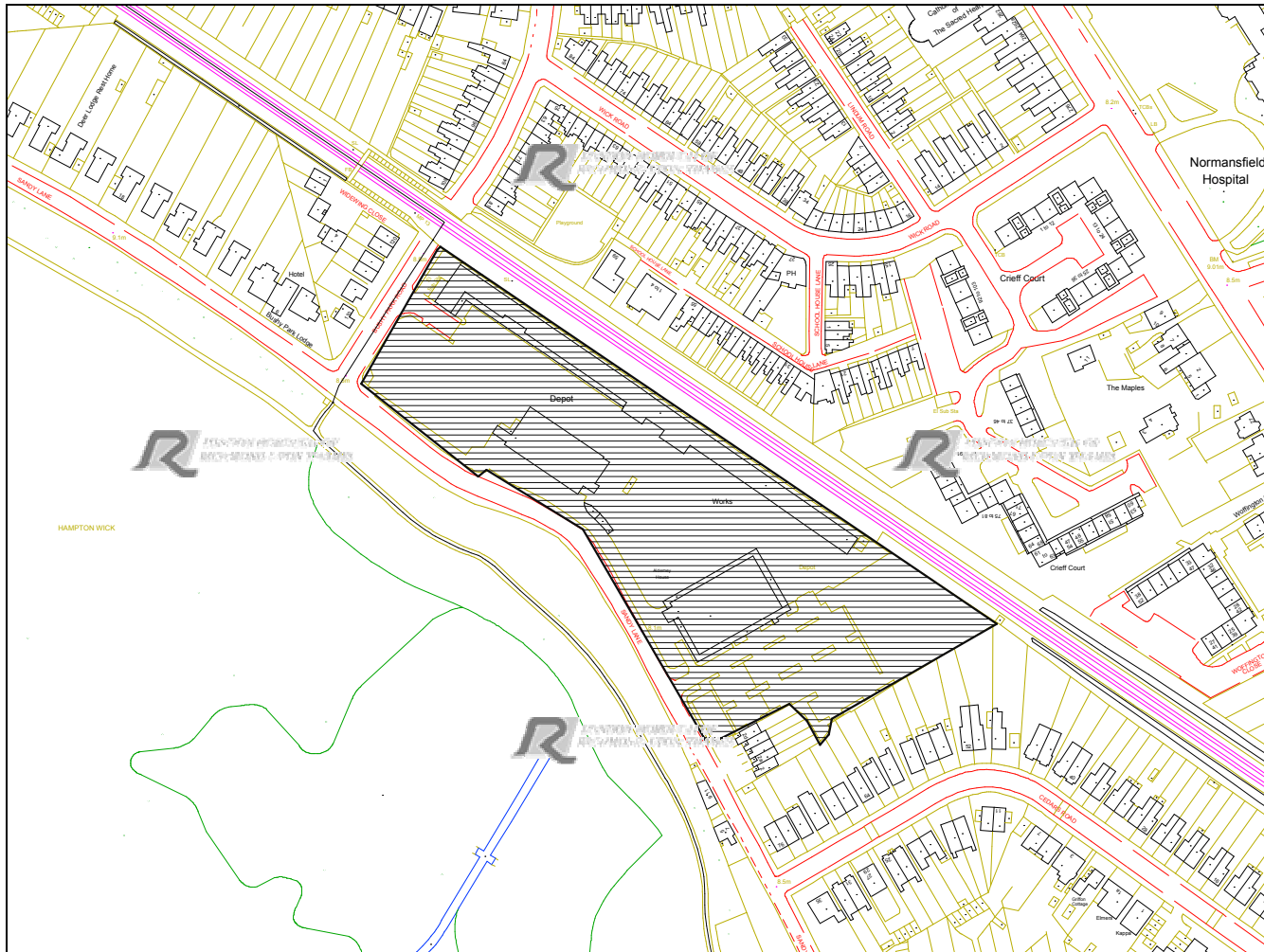


**05/2114/FUL
FORMER SEEBOARD & JEWSONS SITE
SANDY LANE
TEDDINGTON**

**HAMPTON WICK WARD
Contact Officer:
A Wilson**



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LA 100019441[2005].'- Do not scale '

Proposal: Demolition of existing Buildings and Erection of Office unit, a crèche, Nursing Home and 198 Flats of which 40% Affordable

Applicant: Lennon Planning for Linden Homes

Application Received: 18 July 2005

Main Development Plan Policies:

Adopted UDP –1st Review, STG 1, 2, 3, 4,5, 6, 7, 8, 11, IMP 1,2, 3, 4, ENV 1, 6, 7,9, 10, 11, 12,13, 20, 34, 35, 39 , 40, BLT 2, 7,8,9, 11, 12, 14, 15, 16, 17, 18, 29, 30, 31, TRN 1, 2, 3, 4, 9, 11, 12, 13, HSG 1, 4, 6, 8, 11, 16, 17, 18, 19, EMP 1, 2, 4, CCE 4, 8, 10, 23, TC 2, Proposal Site D9, Adjacent to MOL, Cons. Area, Public Open Space and Grade I listed Park. Departure from the development plan,
London Plan: 2A.6, 3A.1, 3A.2, 3A.4, 3A.5, 3A.8, 3A.15, 3A.17, 3A.20, 3A.21, 3B.2, 3C.1, 3C.2,3C.16, 3C.19, 3C.21, , 3C.22, 3D.2, 3D.9, 4A.7, 4A.8, 4A.9, 4A.11, 4A.13, 4A.14, 4A.16, 4B.1, 4B.3, 4B.4, 4B.6, 4B.7.

Present Use: Builders/Timber and Plumbers' Merchants and Offices

Site, History and Proposal: The application refers to a 2.07 hectare site, which had been occupied by a gasworks between approximately 1875 and 1975, though a gasholder was still present in the western corner of the site until 1987. The site was then occupied as a depot for Seeboard where vehicular servicing was also undertaken. There are currently two substantial buildings on the site, the 3 storey office building comprising 2586 sq.m. floorspace, last occupied by Serco, but now empty, and the 18m high and 1886 sq.m. brick and concrete clad depot building used for storage and offices. The latter forms part of Jewsons builder, timber and plumbers' merchants' site. This also contains 2004 sq.m. of various single storey workshops and storage buildings, mainly abutting the railway along the north-east boundary. Jewsons sells directly to the public as well as to trade customers, though the previous consent only allowed retail as an ancillary activity. There are 96 car spaces associated with the office building close to the south-east boundary. There are 2 accesses into the site, one utilised by the builders' yard from Bushy Park Road, and one into the south-east part of the site from Sandy Lane serving the vacant office building.

The site is contained between the railway, also designated a Green Corridor, and Sandy Lane which is a local distributor road linking Teddington and Hampton Wick centres. To the south of Sandy Lane is the Grade I listed historic park, Bushy Park, which is also designated Metropolitan Open Land, Public Open Space, a site of nature importance, and a conservation area in its own right.

Adjacent areas along Sandy Lane are residential in both directions, predominantly 2 and 3 storey detached and semi-detached houses. The houses opposite the site across Bushy Park Road are 2 storeys plus rooms in the pitched roofspace and were developed on what was also part of the gasworks site by the current applicant, Linden Homes, under the reference 96/0235/FUL. Adjacent at the corner with Sandy Lane is a hotel, of a similar domestic scale. To the south-east of the site facing Sandy Lane is a terrace of 3 storey houses with integral garages, before the junction with Cedars Road where the houses are typically large two storey detached and semi-detached, plus some converted roofspace. The rear gardens of houses in Cedar Road back onto the south-eastern boundary, where there is significant screening by trees. On the opposite side of the railway, to the north-east are 2 storey Victorian houses on School House Lane, the rear gardens of which back onto the railway. To the east, also on the opposite side of the railway, are post-war residential blocks of 3, 4 and 5 storey height at Crieff Court.

The former gasworks site is heavily contaminated with coal tar products and 3 gas holder bases remain buried. An aquifer crosses beneath the site and has now been culverted.

History:

- 66/597 - Use as District Depot for Seeboard, workshops, stores, vehicular repair and washing, covered and open vehicular parks. Approved.
- 68/83 - Use of part of 2nd floor stores building as temporary offices. Approved.
- 71/1366 - Erection of extension to vehicle repair workshop to provide additional maintenance facilities for vehicles. Approved.
- 71/2672 - Erection of Extension to provide additional Offices. Approved.

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- 72/717 - Erection of office building. Approved.
- 73/2844 - Erection of 4 storey office building. Refused.
- 75/364 - Erection of 3 storey office building. Approved.
- 96/0235/FUL - (112-120 Bushy Park Road) Change of use from former Gasholder site and Redevelopment to provide nine 2 and 3-bedroom Houses. Approved.
- 97/0824 - Change of Use from former Vehicle Depot, including secure yard garage workshops, stores, staff and ancillary areas to Timber, Builders' and Plumbers' Merchants with ancillary service mill and Offices. Approved.
- 04/2579/FUL - Demolition of existing buildings and Erection of Office units, a crèche, Retail/Restaurant, Nursing Home and 229 Flats of which 40% Affordable. Appealed for non-determination. The Council would have Refused due to; 1) cramped overdevelopment out of character with the area, 2) bulk having an adverse impact on Grade I listed Bushy Park, MOL and public open space, 3) overbearing and visually obtrusive to neighbour amenity, 4) excessive office space relative to transport accessibility, 5) mix of affordable housing not matching with housing needs, 6) inadequate wheelchair users provision, 7) inadequate on-site car parking, 8) inadequate information to assess potential for bus service enhancement, 9) insufficient capacity to discharge foul sewage, 10) loss of trees for screening, 11) retail/restaurant unit harmful to retail strategy, 12) noise levels for future occupiers, 13) burden on education facilities, 14) burden on health facilities, 15) inadequate energy efficient measures, 16) no agreed strategy for land decontamination. Appealed for non-determination with Public Inquiry set for February 2006.

Proposal

The proposal is to redevelop the site completely and build a mixed use scheme comprising 198 residential flats, including 79 affordable units, and 20 mobility units. Also proposed is a 72 bedroom nursing home, a crèche, 293 sq.m. office space and 238 car parking spaces and cycle facilities. The application is a major development and departure from the UDP due to this being an employment site. The development would be spread across the site into 11 blocks, primarily consisting of 4 stories, which would have elements at 3 and 2 stories, and the nursing home block facing Bushy Park Road which would be fully 3 storeys. The affordable dwellings would be concentrated into 3 blocks at the eastern end of the site (G, H and I) and the offices would occupy the ground floor of Block C near the midpoint of the Sandy Lane frontage. The crèche would be closer to the eastern end of the site adjacent to the railway. An additional access would be formed onto Sandy Lane near the midpoint of the site frontage and a new access formed at the cul-de-sac end of Bushy Park Road into the site, replacing Jewsons existing access. Each of the accesses would serve separate enclaves of the development thus forming 3 cul-de-sacs. A total of 238 car spaces are proposed, those serving the affordable housing and other blocks at the south-eastern end of the site, the nursing home and the crèche being surface parking. The largest surface car park would be in the eastern corner of the site, but there would also be smaller parking courts, which would include 20 visitors' spaces. The two semi-basement car parks would be under the centrally located Block D and sited to serve the residential blocks and office on the north-western part of the site.

The development would form a group of 5 buildings within the north-west part of the site, separated by relatively formal landscaped spaces and a car park and service area for the nursing home at the Bushy Park Road end of the site. Near the centre of the site would be the 4 storey flats Block D, with a hull-shaped curved façade pointing towards Sandy Lane. It would be set within a more informal parkland setting 18.5m back from Sandy Lane. The south-eastern end of the site, would consist of 5 blocks, 3 of these being the affordable blocks G, H and I, which would be grouped around a part soft, part hard landscaped public space. The hard element would be mainly parking and for vehicular movement, although it would be 'shared surface' with pedestrians. Most of the ground floor of Block I would consist of the crèche projecting outwards from the 4 storey building towards the central 'parkland' area. Its entrance would be close to a small roundabout formed to the south-west of the building, which would function as a 'drop off' point for the crèche. Five of the buildings would be sited in a steady sweep along Sandy Lane, though with setbacks varying between 1.5m and 10.5m from the site boundary, mainly due to the proposed new alignment of Sandy Lane. There would also be small grass amenity areas at the rear of Cedar Road properties and behind Block H adjacent to the railway, and associated with the nursing home.

The buildings' footprint sizes would vary considerably. Generally those buildings closest to Sandy Lane would have smaller footprints, typically 18m by 19m. In the case of the nursing home building, it would expose a 19.5m wide façade to Sandy Lane, but would have a 54m wide façade, including the main entrance, facing Bushy Park Road. Block D would have maximum dimensions of 32m by 20m though with the curved end tapering off facing Sandy Lane. Block H near the eastern corner of the site would measure 37m by 17m, whilst the 4 storey part of the adjacent Block I would have similar dimensions of 36.5m by 16m. However the crèche within Block I would create a further projection at ground floor to a maximum of 18m. Most of the blocks would be stepped back on the upper floors by between approximately one and four metres. The nursing home would have a mansard roof as its upper floor.

As all buildings would be 4 storey, with the exception of the nursing home, building heights would be relatively consistent at approximately 11.5m, with some corner and other features another metre or so higher. Block D and two of the blocks adjacent to the railway, would, due to the semi-basement car parks underneath, be 12.8m high. The 3 storey nursing home would be 8.9m high.

The overall architectural style would be contemporary with flat roofs and using a wide palette of materials, buff brick, Staffordshire Blue brick, pale render, natural stained cedar boarding, copper metal cladding, aluminium/zinc metal cladding and other metallic detailing. The roofs would be powder coated steel brise soleil with aluminium/zinc eaves. Individual blocks would display considerable indentation with varying roof heights and extensive use of balconies.

Various highways works are included as part of the application, which if agreed would form part of a Section 106 agreement. Sandy Lane would be re-aligned to enable the formation of a right hand turning lane into the proposed new access near the middle of the site frontage. The existing pedestrian crossing of Sandy Lane immediately south of the Bushy Park Road junction, close to the entrance into Bushy Park, would be widened. The existing junctions from Sandy Lane into the former office building at the southern end of the site, and into Bushy Park Road, would be re-designed, with new radii and visibility splays.

Improvements to the railway bridge leading onto Bushy Park Road which would also form part of a package of contributions to off-site infrastructure, would as initially proposed, have included enhancements to public transport, the cycle network, within Bushy Park, local play space provision, education facilities and health facilities. As first proposed, Bushy Park Road itself was to be re-designed with a narrower carriageway.

An Environmental Statement has also been submitted with the application, which includes detailed documents covering land and ground water pollution, utilities, foul and surface water drainage strategies, flood risk assessment, archaeology and an environmental noise assessment. The issues of the potential impact on the Grade I listed Bushy Park, on local traffic and transport, ecology and nature conservation and local infrastructure are also summarised in the Statement. This seeks to establish the degree of any environmental impact by displaying the topic areas likely to have an influence, and then demonstrating how any adverse effects would be mitigated. The topics overlap to some degree with the usual planning considerations, but as a document allows the total environmental impact to be viewed in a comprehensive manner.

The applicants have appealed this application for non-determination within the prescribed 16 weeks. Subsequently the Secretary of State 'recovered' the appeal from the Inspectorate to make his own decision, due to the size of the development exceeding 150 dwellings, in accordance with powers given under the 1990 Town and Country Planning Act.

A duplicate application 05/2113/FUL, which has not been appealed, is reported below.

Public and Other Representations: 17 letters of objection have been received on the following grounds:

1. overlooking (into Bushy Park Road properties north and south of railway, into Crieff Court, Wick Road and from terraces to School House Lane);
2. visually intrusive, excessive height and close proximity (from Bushy Park Road properties to north and south of railway, Crieff Court and Cedar Road properties);
3. poor architecture, unimaginative plain buildings;
4. train noise reflection from new buildings;
5. nuisance of traffic and other noise, cooking and waste associated with nursing home;
6. road safety;
7. inadequate parking,
8. traffic congestion in Sandy Lane;
9. overstretched local services (education, health, water supply, drainage)
10. loss of light (110 Bushy Park Road, Crieff Court);
11. adverse impact on rail use;
12. loss of shrubs etc, poor landscaping;
13. need for more energy saving measures;
14. safe decontamination concerns;
15. modern design and materials out of keeping with Teddington and Bushy Park;
16. overdevelopment, density;
17. a greater mix of dwellings, including houses, should be sought;
18. detriment to Cedar Road residents' amenities and security from nearest flats and large surface car park;
19. vandalism in above car park;

20. loss of No.465 bus route will contribute to parking and traffic congestion;
21. light pollution to School House Lane properties;
22. no additional benefits to existing residents;
23. lack of play facilities;

Non-planning issues, (loss of private view and property value) were also raised.

There are 3 individual letters of support which consider it;

1. a more efficient use of land;
2. Teddington needs affordable housing;
3. Use of renewable energy;

Teddington Society consider the proposals a considerable improvement on the previous ref. 04/2579/FUL scheme now subject to appeal. They welcome the reduction in residential units and offices and consider the layout and design improved, with better sightlines and more space for landscaping. They also approve of the affordable housing provision with the mix of rented and shared ownership flats. They are prepared to give general support subject to;

- Concerns regarding the unimaginative, and in cases, overbearing, elevations facing Sandy Lane. They ask that the Borough's new Design Panel be asked to comment on the scheme;
- More parking provision provided, particularly for the nursing home;
- The (existing) southern access being widened to improve sight lines;
- Planning gain money, amongst other contributions, being allocated to retention of the No.465 bus on Sandy Lane.

Sandy Lane Action Group support the scheme. They regard as positive;

- the wide spacing between the buildings;
- the landscaping between buildings;
- the removal of the existing buildings;
- the decontamination of the site;
- the variety of architecture;
- the step backs of buildings B1 and C1 facing School House Lane with privacy screens and the removal of glass conservatories from the second floor;
- the sensible number of parking spaces;
- the height of the nursing home;
- the road improvements;
- the prospect of a contribution from the development towards tree planting and landscaping in the grass open space at the end of School House Lane.

Friends of Bushy Park regard this as a significant improvement on the previous application for the site in its relationship with Bushy Park. They consider that the revised siting of buildings would reduce the 'wall-like' view from the Park and welcome the reduction in some of the building heights and greater variety in elevations to the Park. However, they still object to the mass and density of buildings close to the Park boundary which would still be out of character with the area and a significant intrusion during much of the year when trees could not offer screening. They consider it would conflict with the UDP regarding the protection of views from historic parks and gardens and consider that the high density could create an unfortunate precedent for sites bordering the Park and elsewhere.

Greater London Authority

The Mayor considers generally that the redevelopment of this under used site for a residential-led, mixed use, medium density scheme is consistent with London Plan policies, but nevertheless raises some strategic concerns.

- Based on the applicant's viability assessment information, the level of affordable housing would be acceptable, subject to Housing Corporation grant being available. They recognise that although the GLA target is 50%, there are special decontamination costs. They are also satisfied with the tenure mix of 73% rent and 27% shared ownership subject to this meeting the correct definitions of 'social rent' and 'intermediate housing' in the London Plan.
- The absence of larger residential units is unacceptable. While it is accepted that houses with gardens are not necessarily appropriate, given the level of contamination, larger flats and duplex should be provided.
- The scheme should incorporate on-site play space and should also contribute towards the enhancement of Bushy Park.
- The proposed glazing, ventilation and screening measures should be considered against the Council's normal policies on noise mitigation and appropriate conditions used to ensure compliance.
- Further information should be provided by explaining how the terminology used in the Design Statement would improve the legibility of the scheme. They note that two of the 'garden squares' would be dominated by car parking.
- The commitment to providing 100% lifetime homes and 10% wheelchair accessible housing is welcome. This should be conditioned.
- The applicant should contribute to healthcare needs arising from the development, in consultation with the local Primary Care Trust and the NHS Healthy Urban Development Unit. The need to secure contributions towards other elements of social infrastructure should be secured through a section 106 agreement.
- The use of native trees and shrubs within landscaping and provision of nest boxes will ensure a small benefit for biodiversity and should be secured by condition or section 106 agreement.
- The inclusion of solar water heating to deliver 10% of energy demand is a strong positive feature of the development and should be secured by condition. The applicant should also provide further information on the feasibility of communal heating which if feasible should also be secured by condition or by section 106 agreement.
- Alternative sustainable drainage systems should be investigated, and if feasible, incorporated by condition or section 106 agreement.
- The Council should ensure that the applicant is provided with any support for the re-location of the existing business to the Kingston area. In response to the change in employment generating uses, the applicant should implement initiatives to create training and employment opportunities for local residents and businesses during construction, and through other opportunities provided by the development, and this should be secured through a section 106 agreement.
- The Council should ensure that the crèche is phased to be operating before the initial occupancy of the other uses on site. The section 106 agreement should secure the affordability of the crèche for residents, local employees and potential employees of uses within the site.

They add that the density (at 296 hab.rooms/hectare) would exceed the range of 200-250 h.r.ha in the London Plan, (based on it being defined as of 'suburban' character and with a moderate public transport accessibility level of 3). However, given the high quality public open space opposite and the short walking distance to Kingston centre, the higher density and relatively small amount of amenity space on site is acceptable.

They regard this site as subject to the London Plan's policies covering the protection of employment land. However, despite the relatively small amount of employment land and the low levels of vacancy within the Borough, they consider the reduced office element to be justified in terms of viability and the out of centre location. They refer to the London Policy Office Review 2004 which states that in the nearest centre, Teddington, speculative office schemes are considered unviable in the short and medium term. This residential led mixed-use scheme would follow the findings of that Review.

They would not seek to open the culvert across the site. Although the London Plan seeks to open culverts, this example is considered to be too minor.

Transport for London

The upgrading of the bus shelter to the north of Sandy Lane is supported. The need to upgrade the bus stop on the southern side of Sandy Lane should be assessed, and if necessary, secured by condition and section 106 agreement. They consider the development to be within an acceptable walking distance of Hampton Wick station and bus stops on Kingston Road. They note that London Buses consider that the scheme would be unlikely to have a major impact on the capacity of existing bus services, and that it is not of sufficient size to warrant any service enhancements. They have considered the possible replacement on Sandy Lane of the half-hourly service (No.465) with an hourly service (R62), currently the subject of consultations. Although the outcome of these is not yet known, they do not consider that proposed route changes would significantly affect the accessibility of the site. Though the traffic estimates could have been more robust, they indicate little difference between existing and projected traffic flows. The alterations to the Sandy Lane pelican crossing and footway improvements are acceptable. They also support the car and cycle parking provision, and the outline travel management strategy, including a commitment for a travel plan.

The Mayor has taken into account the information provided in the Environmental Assessment. If this Council is minded to approve the application, the Mayor should be given 14 days to decide whether or not to direct refusal.

Commission for Architecture & the Built Environment (CABE) support the principles of the scheme and consider the latest version acceptable. The ultimate success would depend on careful attention to detailing and materials. They urge this Council to apply robust planning conditions to ensure that the design of the buildings and public spaces are of high quality.

The Royal Parks

Are much happier with the latest application compared to the appealed scheme. They nevertheless regard additional tree planting in Bushy Park as necessary to cover existing gaps and lessen the impact of the development as viewed from the park. They suggest a mix of Beech, Scots Pine, English Oak and Holm Oak, Holly, Hawthorn and Blackthorn. This should be conditioned and tree establishment and replacement of failures should be set over a given period of 3 or 4 years. They have costed the planting of 123 trees at £62,526.

They consider the white render parts of the new build as stark and would prefer a natural stone colour.

Thames Water

a) Foul water

They have completed a modelling study into the foul sewerage network, which would drain the proposed development, in order to assess the impact on the existing sewerage infrastructure. The study concluded that the foul sewerage system is currently at its design capacity and would be insufficient to accommodate the additional flows from the development without significant reinforcement. The modelling study has predicted that should the development proceed and discharge into the existing foul sewer network, flooding would occur in a 1 in 15 year storm from 2 separate manholes in Sandy Lane and High Street, Hampton Wick. If the development were to proceed without reinforcement works being carried out, then sewer flooding is predicted to occur which may be a risk to public health, the environment and the amenity of the area. If the foul sewer network was to be substantially reinforced, Thames Water would raise no objections to the development progressing. However as the development is on a windfall site (i.e. not identified in the adopted Plan), they do not have the funding to upgrade the sewer network to accommodate the development in their current funding period (2005 to 2010). For the necessary infrastructure to be put in place to accommodate the development, works would need to be programmed into the next funding period commencing in 2010. Delivery of infrastructure would not be expected until 2012 or 2013 and therefore the ability of the sewerage network to provide for the development would not be available until that time. A scheme to reinforce the existing infrastructure to a state where it would be able to accommodate the development could be brought forward if the developer was to contribute.

Thames Water see the following 2 options being available regarding the determination of the scheme in respect to foul sewer capacity.

- I. The developer should contribute to a detailed study into the design of reinforcement of the foul sewerage system to accommodate the development, and subsequent reinforcement work. Any planning approval granted on this basis must be conditional on the reinforcement being complete before dwellings are occupied. Thames Water are currently investigating the costs the applicant would be required to contribute should this option be accepted. The level of contribution to the initial study is expected to be available by 28th November, and the contribution for the actual reinforcement works available the completion of the study.
- II. The site should be submitted as a proposal site in the UDP. Thames Water would then be able to fund the reinforcement of the foul sewerage system within the next funding period, with the completion of reinforcement works likely in 2013.

In a more recent letter Thames Water suggested 2 possible solutions to follow an impact study into the rate of discharge. Any discharge controls required would need to be installed by the developer within the site. The solutions would be;

1. A new onsite pumping station to discharge to the adjacent foul catchment in Bushy Park Road, or
2. To upgrade the existing sewer and possibly pump station in Sandy Lane.

b) Surface water

Thames Water state that the applicant is responsible for proper disposal of surface water, which must not be to the foul sewer as this is the major contributor to sewage flooding. Storm flows should be attenuated or regulated into the network through on or off site storage. Where the developer can provide supporting documentation, Thames Water will honour current volume and discharge rates. If proposals indicate an increase, on site storage will be required. In a more recent letter they recognise that the proposal will result in a reduction of discharge compared to the existing situation at the site and as such have no objections to the surface water proposals.

- c) Steps should be taken to ensure that leachates from the contaminated land do not enter the public sewerage system. Discharge of leachates requires a trade effluent agreement license.
- d) Any covered car parking areas should drain via interceptors to the foul sewer, whilst other areas should drain via deep trap gullies to the surface water sewer.
- e) No building will be permitted by Thames Water within 3m of a public sewer.
- f) Thames Water seek assurances that an easement to a water main on Bushy Park Road would be unaffected.

They require all details of water infrastructure and for provision of water supplies to be approved prior to works commencing.

Environment Agency

The Agency initially raised an objection that the development might increase the flood risk, as the model for the critical 1 in a 100 year storm had not been calculated, and it was therefore unclear if the necessary attenuation would be achieved to prevent flooding on site. However, the applicants subsequently submitted further information in support of their Flood Risk Assessment and the Agency have now lifted their objection.

They are aware of the site's contamination and that it is in an area designated as within a major aquifer zone. As such it is a location where groundwater is particularly vulnerable to pollution. They will require a remediation strategy for assessment outlining the remediation and monitoring programmes, and an assessment to derive site specific target levels for the contaminants of concern. They recommend an appropriate condition covering the method and extent of the site investigation and measures to prevent and monitor pollution of groundwater and surface water.

The Agency are satisfied that the surface water runoff from the site would not be increased.

They would not allow the culverted watercourse to be built over, but note from the plans that this does not appear to be the case. They would wish to be contacted if the culvert required diversion during construction.

English Heritage do not wish to offer any comments and request that the application be determined in accordance with national and local policy guidance and on the basis of this Council's specialist conservation advice.

English Heritage (archaeology): On the recent 04/2579/FUL application, they endorsed the archaeological desk-based assessment and commented that on balance it did not seem likely that redevelopment would affect archaeology. They stated that any requirement for pre-determination archaeological assessment/evaluation could be waived. As the current application followed in close proximity a further consultation was not felt necessary.

Crime Prevention Officer considers;

- surface parking close to dwellings is always preferred to underground car parks. If the latter is approved, then an effective form of access control would be needed to the vehicle ramps (also designed to prevent noise disturbance to residents), stairwells and doors, and grilles to air vents; the car parks' stairway lobbies should allow views through into the car parks;
- the large surface car park near the eastern site corner would be a potential target for thefts and fly tipping;
- the nursing home needs 'Secured by Design' ground floor sash windows;
- queries the office unit's number of door entrances and possible vulnerability to break-ins via the bin store, and due to postbox to Block C having to be internalised;
- trellising necessary adjacent to walls facing railway to prevent graffiti;
- there should be more than one door to the crèche;
- the flat roof of the crèche may assist break-ins to flats on the next floor, but laminated glass may protect vulnerable windows.

The Garden History Society have not commented.

Richmond and Twickenham Primary Care Trust have reviewed the current situation regarding the provision of health care locally. They consider that the increase in population could be accommodated by existing GP's because of flexibilities introduced by the new General Medical Services Contract and would not wish to support a refusal based on the applicant's failure to contribute to local facilities.

Network Rail No response, though on the previous application 04/2583/FUL they requested that an informative be applied requiring details of changes in levels, new trees, drainage details on areas adjacent to rail land.

Amendments: The development plans have been amended as follows;

- reduction in mansard roof slope on Block A;
- more ground floor windows introduced on offices at Block C;
- the projecting cornice (brise soleil) detail on Block D reduced;
- roof overhangs of Blocks E and F amended to include brise soleil features;
- the colour of the copper mansard roof to Block A has been toned down;
- the existing width of Bushy Park Road maintained whilst still re-aligning junction radii onto Sandy Lane;
- at the rear of the nursing home, the service area (for smaller vehicles) re-designed and parking re-designed and increased from 15 to 17 spaces;
- a service bay has been introduced across the access road from the offices at Block C and the 10 surface parking spaces re-arranged and extra cycle spaces provided so that the ratio would be one per dwelling;
- bollards introduced on the junction outside Block C;
- refuse collection points identified;
- tree planting introduced in tree grids between parking bays and low-level lighting introduced in surface car park to the east of the site;

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- existing pedestrian crossing on Sandy Lane widened to a Pelican instead of a Toucan crossing;
- emergency road across grass frontage changed to a footpath;
- space formed between Blocks I, H, G and E would be re-designed into a more formal square with a landscaped sitting and play space at the centre instead of one side grass and the other side parking and access. Vehicles would pass in a circulatory manner around the square with parking on all four sides. Four bin storage areas and a cycle store to be re-located outside the square to its periphery;
- rumble strips on both sides of square and on its access road from Sandy Lane;
- car parking serving the 5 residential blocks to the south-east of the site (E-I) has been re-arranged due to the formation of the square, but maintained at 107 spaces equating at one space per dwelling;
- other cycle stores re-located from eastern site corner to mid-point on south-east boundary and from north-east to south-west end of Block I ;
- crèche mini roundabout re-designed with 3m wider diameter and 8 drop off car spaces around it plus 5 cycle spaces and covered buggy area. A rumble strip is included on the approach;
- more landscaping has been introduced along the railway boundary;
- alterations to layout in the basement car park serving Blocks B,B1, C, C1, with mobility spaces increased to 7, cycle parking increased to 29 and standard car spaces maintained at 76 spaces;
- more surface level cycle storage added to the area adjacent to Blocks B, B1, C and C1;
- ramps to the semi-basement car parks have been re-designed to include transitional 1:20 gradients either end of the 1:7 gradients.;
- the turning head adjacent to Block C1 has been re-aligned further from the building;
- landscaped areas in front of Block H and both ends of Block G removed;
- alterations to layout of car spaces and mobility bays in semi-basement and adjacent to Block D to equate at one space per dwelling and to include recycling facilities and additional cycle parking in semi-basement;
- sub-station re-located along north-east (railway) boundary
- second floor glass 'conservatories' facing railway of Blocks B1 and C1 deleted and parapet in front raised 900mm with 800mm high trellis/ screens added on top;
- Block H footprint dimensions altered from (37.4m by 16.2m) to (36.7m by 20.2m maximum) to alter dwellings from 32 x 2-bedroom to 12 x 3 -bedroom, 16 x 2-bedroom, 4 x 1-bedroom flats and to increase sizes of 2-bedroom flats;
- Second play area sited to the north-west of crèche

Further Amendments: The two bedroom units in Blocks I and H would be enlarged from 61 to 65 sq.m. internal floor areas.

A letter has been received from the applicant's confirming that they would be prepared to enter into a Section 106 agreement in order to make a financial contribution of £821, 652 towards associated planning benefits. They refer to their financial appraisal in which their case is made for the level of affordable housing proposed, and in which a planning contribution of £771,000 is assumed.

Regarding the education contribution, the applicants note the figure being requested, but consider this for several reasons to be unreasonable. There should be regard for the on-going negotiations over the full period of the project, when previously £421,000 education supplement was being requested. Regard should also be given to the financial viability of the scheme, and the fact that a large proportion of children to be accommodated in the affordable flats, would already be at local schools, with the Borough having 100% nomination rights. They also query the child/ bedroom figure used in the Council's supplementary planning guidance.

Regarding highways and transport, they are prepared to make £15,000 contribution towards a new bus shelter on the north-eastern side of Sandy Lane and £10,000 towards a widening of the pelican crossing on Sandy Lane. They do not consider the upgrading of the bus stop on the south-western side of Sandy Lane to be feasible because of the narrow footway and constraint of the highway boundary. With regard to support for bus services along Sandy Lane, they have increased their contribution to education where there would be a more demonstrable need, and on their understanding that this is a priority for the Council.

They would make further contributions of £80,000 towards footbridge improvements and £15,000 towards equipment for the two areas of play space within the site.

They have completed a bat survey, in response to GLA comments, with no evidence of roosts being found. The site is used by a small number of bats for feeding. They would accept a condition for the provision of bat boxes to enhance the corridor.

Professional Comments: The forerunner to this scheme, application 04/2579/FUL, which has been appealed for non-determination, was objected to by this Council for 16 separate reasons. The applicants have, in their current applications, sought to overcome all 16 reasons. As previously, officers accept the principle of development on this brownfield site, which would remove two large unattractive buildings. There would be undoubted benefits, particularly the substantial number of dwellings added to the Borough's housing stock, 40% of which would be affordable, but these have to be weighed against the impact on the character of the area, including the Grade I listed Bushy Park, and a range of other issues. Most notable amongst these are the loss of employment land, the capability of the existing infrastructure (education, transport, health, sewerage) of supporting the development, neighbour amenity and the type of affordable housing. The decontamination of the site may also be seen as a benefit, and officers accept that the cost burden involved in carrying this out, puts a constraint on the type of development that can be achieved. To this end, the applicants have submitted a financial viability assessment which seeks to justify the level of development as necessary, to make redevelopment a viable proposition. As the financial viability is key to the application's consideration, the Council has sought expert professional advice, which is contained in the conclusions brought out in the report.

Massing, Bulk and Design

Compared to the previously appealed scheme 04/2579/FUL, the current proposal has reduced considerably the amount of building mass within the site. Instead of the 16 buildings previously proposed, there would now be 11 buildings, or 12 if Block A fronting Bushy Park Road were considered in two parts. Previously, the cramped overdevelopment manifested itself by the creation of a fairly continuous 'wall of development' along Sandy Lane, but also by the substantial amount of building mass that could be seen from the rear of School House Lane and Cedars Road properties. The 'wall of development' was also a criticism in relation to the impact on Bushy Park. It was also cramped within the site, which manifested itself by the lack of

spacing around buildings, close proximity to the back of existing roads, poor provision of open spaces, or their domination by car parking, including the lack of any play area or obvious main public space acting as a focal point for the community.

The current scheme has attempted to address these criticisms and is considered to have arrived at a much improved balance between building mass and space. The spaces formed would also, with a few exceptions, relate better to the buildings around, rather than being merely 'bits of space left over', and would be more useable. The scheme has a more ordered design concept, with the formalised layouts at either end of the site, to the more informal grass area around Block D which would act as a focal point near the centre of the site.

a) Relationship to the Area

The site is immediately adjacent to the existing Sandy Lane buildings at both ends of the site and those in Bushy Park Road and the development would therefore be perceived as a natural continuation to the townscape sequence. A criticism of the previous scheme was that it failed to adequately respond to the predominant pattern and scale of development in Sandy Lane and the adjoining residential areas. It was recognised that existing buildings in the area were typically detached, semi-detached and terraced houses of a domestic scale, although with bulkier blocks across the railway at Crieff Court. The existing almost exclusive pattern of development in the surrounding roads is of 2 to 3 storey domestic scaled detached or semi-detached buildings. Across the barrier formed by the railway to the north, the buildings are smaller terraced houses in School House Lane and Wick Road. The Crieff Court flats further north-east have a more modern block like form and are 3 to 5 storey, but they are well spaced in their surroundings.

The objections were not because the buildings failed to match the same architectural typology, but because the combination of building mass and height would have appeared cramped, creating too much of an abrupt contrast with the surrounding area, the suburban character of which would suffer. The current scheme would reduce the number of buildings proposed with an elevation to Sandy Lane from 8 to 6. The net effect is that reasonable gaps would be formed between buildings facing Sandy Lane, which from a public perspective is the key elevation, being the most visible side of the site. An additional space would be formed at the front of the site, due to Block D's setback of 18m from Sandy Lane, which when approaching along Sandy Lane in either direction, would tend to read as a wider gap between the buildings fronting the site. Though the gaps between the existing houses on Sandy Lane are a lot smaller, the change to flats does demand greater spacing either side. It is now considered that the gaps are considered right for the building typology chosen, and the appearance from Sandy Lane would not read as a 'wall of development'. Views could be obtained through much of the development, and overall a more comfortable relationship between buildings and spaces would be formed compared to the previous scheme.

It is recognised that the footprint of the buildings would continue to be substantially greater than the typical buildings of the area, which are characteristic for domestic scaled detached and semi-detached houses. There have been some reductions in footprint size from the earlier application, including one major reduction which would arise from forming Blocks G and H into separate buildings, rather than joining them on the upper levels. On the other hand, the 2 blocks on the previous scheme fronting Bushy Park Road have been co-joined into one block, albeit with a substantial setback between two sections. However, the main reduction in building footprint has arisen through the reduction in the number of blocks.

The buildings are predominantly 4 storeys, with the exception of the nursing home at Block A which is 3 storeys. The building heights therefore show a degree of consistency, but tend to be significantly greater than for the houses in the surrounding areas which are typically 2 or 3 storeys. Maximum heights of the 4 storey buildings range from 11.4m to 13.7m in the case of Block D, which has a 'focal point' function at the centre of the site. All the 4 storey buildings, apart from Block H, would have a stepped form with parapets and/or balconies defining lower heights for the building, generally 2 to 3 metres below the main roof. The stepped form would serve to reduce the visual impact of the bulk. In comparison with the previous 04/2579/FUL scheme, the degree of stepping inwards and downwards would be more accentuated, and generally the trend would be towards a reduction in building heights. Exceptions to this are Blocks B1 and C1 backing onto the railway, where a semi-basement car park has been switched to, and this has raised building height from the previous scheme from 11.2m to 12.9m. Even so these blocks would be stepped down to 8.1m height where they would face the railway. There would be a reduction in the height of blocks fronting Sandy Lane, where a semi-basement car park was proposed underneath in the previous scheme. It is considered that the benefits in townscape terms would be greater with the reduction achieved on the Sandy Lane side. The other block which in the current scheme would be appreciably higher than its previous equivalent, would be Block G, where an extra floor would be added on half of the building. Elsewhere roof heights and parapet heights would be equivalent or lower.

The development is also considered to blend more easily with the scale of development at its edges. At the south-eastern corner of the site, Block F would maintain a similar height as the existing 3 storey building adjacent at 2-2d Sandy Lane, for a distance of 7m inwards from the edge of the block, before rising upwards to accommodate a fourth level. The change in form at this point on Sandy Lane would not therefore be too abrupt. Also the relationship in townscape terms with existing buildings in Bushy Park Road is considered acceptable. The existing buildings are generally two storey with steeply pitched roofs containing accommodation. Although a three storey building is proposed at Block A opposite, the upper floor would be contained in a mansard, the buildings either side of Bushy Park Road would be of a similar height.

In terms of building lines, the scheme shows a more generous setback from Bushy Park Road, and at its junction with Sandy Lane, and in the setback of blocks at the southern end of the site (Blocks E and F) from Sandy Lane, than the previous scheme ref. 04/2579/FUL. These are important viewpoints from a townscape perspective, and an indicator of the less cramped nature of the current proposal.

A comparison of the formal density calculations between the previous 04/2579/FUL scheme and the current shows a reduction from 108 dwellings/hectare to 95 dwellings/hectare. The GLA have indicated the area can be classed as 'suburban' with a public transport accessibility level of 3, where their density matrix in the London Plan, indicates that a density level of 50 to 80 dwellings per hectare would be appropriate. At 95 dwellings/hectare it would therefore be slightly over the upper end and would still be substantially greater than figures in the adjacent areas of approximately 26 dwellings/hectare in the Cedars Road/Vicarage Road area to the south east, 16 dwellings/ha. in the residential area to the north-west of the site and approximately 57 dwellings/hectare in the case of the flats at Crieff Court across the railway. However, an over reliance should not be placed on density calculations, as the specifics of building mass, layout and spacing have to be examined in every case. In this case the calculations do not reflect the substantial decrease in office

floorspace from 3608 sq.m of offices to 293 sq.m. as well as the deletion of the 250 sq.m. restaurant/retail unit. (The crèche and nursing home remain constant factors). The semi-basement car parks have freed up space in both this and the previous application. The density also has to be viewed in the context of national and regional policies where a more efficient use of brownfield sites is being advocated.

Compared to the previous 04/2579/FUL scheme, the reduction in bulk is indicated by the reduced floorspace figures of 21,050 sq.m. to 16, 216 sq.m. There would in this scheme be no buildings over 4 storeys and in all cases the proposed buildings would be lower than the two unattractive existing buildings, which have maximum heights of 18m and 15m. There would be a difference in architectural style with a more contemporary flat roof form contrasting with the pitched roof brick buildings in most of the surrounding area, but this is not a conservation area, and in such cases schemes can normally only be refused where design is obviously poorly considered or out of scale. In this case it is considered that a better balance has been achieved between building mass and spacing than previously which has enabled the transition to 4 storeys to appear as a more natural continuation of the area without an appearance of cramping. The development also has the backing of CABE.

b) Views from Bushy Park

The criticism of the previous scheme in its relation to Bushy Park, is that views from the park would have been adversely affected by a continuous wall of building mass, and that gaps between the buildings would be lost by the other buildings within the immediate backdrop. The current scheme is considered to have significantly improved this by the reduction from 8 to 6 buildings with elevations to Bushy Park, and the substantial setback of Block D at the centre of the site. This would enable there to be a perception of spacing between the blocks, particularly for the north-west end of the Sandy Lane frontage. Approximately 44% of the site's Sandy Lane frontage would consist of building mass, and though the existing two buildings comprise only 35% of the site frontage, their heights are both in excess of the building heights now proposed. They are also unattractive buildings and their removal is considered a positive benefit of the scheme. The current proposal would reduce the visual impact from the Park further compared to the 04/2579/FUL scheme, by the reduction in some of the proposed building heights associated with the transfer of the semi-basement car parks to the back of the site and by the greater setback generally of the buildings from Sandy Lane. The Royal Parks request for tree planting in the park is noted, but given the limited residual funds available from the development, this is not considered a priority. On balance, the visual impact of the additional building mass bordering the park would not be considered to adversely affect the setting and views of the Grade I historic park. Neither has English Heritage chosen to raise objections on these grounds. Also the impact on the park's role as a Conservation Area and function as Metropolitan Open Land would be acceptable.

c) Internal layout

The current scheme's internal layout is considered much improved from the previous 04/2579/FUL layout. There would be a better relationship between the buildings and spaces, also made possible by the reduction in the number of buildings. The spaces would generally appear less cramped and in most cases would be more useable for sitting in or leisure. The scheme appears to have a more legible design concept, by the formation of ordered formal spaces between the blocks at the north-western end of the site, the formation of a small 'urban square' at the south-eastern end, and a landmark building surrounded by informal grass amenity at the centre of the site. The landmark building, though in residential use, would because of its design, have a

strong individual identity and would be something of a focal point for the development.

The reduction in buildings from 16 to 11 has reduced cramping within the site, particularly for two thirds of the development on the north-western side. Dwellings at this end of the site would have access to nearby communal grass areas including approximately 1500 sq.m. informal grass area with trees around the centre of the site. With flats being proposed there are no private gardens, but balconies would be provided for approximately 88% of upper floor dwellings. The nursing home would also obtain a more viable garden area of approximately 200 sq.m. The formation of a small square between the buildings at the eastern end of the site would form another focal point within the site, with clearly defined edges, and is designed for use as a sitting area with a small play area attached. There would be a grass amenity area behind Block G on the south-east boundary and other grass communal areas behind Blocks H and I, although these would be in shade for much of the day and may therefore be less used. Although there would be a few examples of parking spaces and bin stores in close proximity to habitable windows, the spacing standards at the south-eastern end of the site are considered acceptable.

Two weak points would be the restricted opportunities for pedestrian movement from the north-western end into the central amenity space area and to the visitor parking spaces, and in certain cases, the potential for overlooking between occupiers of the proposed dwellings. However on the latter, future occupiers would be aware of this when choosing to live there, and the privacy situation would be no worse than across many public roads.

The siting of the office to the front of the site is considered a positive step from the previous scheme, enabling some activity to front onto the main highway. The frontage to Sandy Lane benefits from the re-siting of the semi-basement car park to the rear of the development, as the projection above ground level, would otherwise create an unattractive length of 'dead frontage'. Hardstanding for surface car parking would also be fairly well screened from Sandy Lane.

On balance the internal layout is considered well thought out, with the scale of blocks fitting relatively comfortably with the size of spaces, most of which would be useable for passive and leisure activity. CABE are supportive of the design concept and the GLA also, subject to queries about how some of the spaces would be defined and how they would read in the local environment.

Design detail

There are no strong arguments for opposing the contemporary architectural style, incorporating flat roofs. Though it is not typical of the adjoining residential areas, these are not Conservation Areas, and there are plenty of examples in the Borough of modern design sited in close juxtaposition to more traditional architectural forms. Government advice in PPS 1 states that obviously bad design should be refused, but this is more directed towards scale, bulk and layout rather than the particular architectural style. Even so, attention to detail is considered important, and the Design Statement does indicate that attention has been paid to breaking down the facades into contrasting but complimenting materials, protrusions, recessions, and balconies, so that the elevations would not appear bland.

Land Use

One of the main reasons for the refusal of the previous 04/2579/FUL scheme was based on the excessive level of offices. As the site is outside a local centre and only moderately accessible by public transport, reflected by the score of 3 in the London

Plan's Public Transport Accessibility Level matrix (PTAL), it was considered that the 3,608 sq.m. office floorspace, could be likely to attract substantial numbers of office staff commuting by car. This runs contrary to Government advice which seeks to reduce the length and number of car journeys, the London Plan, which aims to direct high trip generating development to locations with high levels of public transport accessibility, and also the UDP with Policies EMP 1, 2 and 4 and TRN 1, 2 and 4 which all refer to good accessibility and links to public transport as important in the consideration of new developments. As a result, the current application has reduced the office content from 3,608 sq.m. to 293 sq.m.

It had been feared that a likely result of the previous scheme being implemented, would have been that the residential roads in the area would have come under intense pressure to accommodate extra parking, due to the overspill from the site. The resulting congestion would have been detrimental to the local amenity, the free flow of traffic and road safety. Office use tends to attract more commuters than other employment generating uses.

Concerns were also expressed by Council officers and the GLA about the viability of offices in this location. Despite the GLA considering in their draft Industrial Capacity SPG that Richmond has a relatively small amount of employment land and low levels of vacancy, their London Policy Office Review of 2004, states that speculative office schemes in Teddington district centre in both the short and medium (to 2011) terms, are considered to be unviable. In the case of Kingston town centre, which is the closest town centre, they consider speculative office development to be unviable in the short term and only possibly viable in the medium term. Sandy Lane is less accessible than either of these sites by public transport. The same review also states that across this Borough there is already office development in the pipeline to satisfy short term demand, and enough to satisfy 60% of long term demand (until 2016).

In most circumstances, the proposal would have been expected to provide replacement employment use, as UDP policy EMP 4 is designed to prevent the loss of employment land, as are the London Mayor's employment policies. The property is classed an employment site, due to the existing uses being, *sui generis*, covering the building merchants' use, and Class B1 business use, covering the vacant Class B1 offices. However despite the presumption in favour of retaining employment uses on site in Policy EMP 4, the policy also refers to the likely access, parking and traffic implications, whilst EMP 1 and EMP 2 also refer to the accessibility of public transport for new developments.

The decrease from the existing employment floor area on site, calculated as 6479 sq.m., to the 293 sq.m. now being proposed, would therefore be substantial. The current application indicates that the office use would generate only 15 staff rather than a projected 132 staff under the 04/2579/FUL. However the loss would be mitigated significantly by the significant employment numbers generated by the nursing home and crèche, estimated at 65 by the applicants, and these people would tend to be more local, and less likely to drive. This plus the office component would be substantially more than the 35 currently employed at the builders' merchants, although it has to be accepted that this figure is artificially low, mainly due to the empty office building. When the site was occupied by Serco and Seaboard, there were an estimated 174 people employed.

However, the Council has already accepted that the location is unsuitable for the amount of B1 office floorspace generated by the previous application, and so the issue is whether the much more modest amount of office space, plus other jobs created by the nursing home and crèche, would be a satisfactory recompense for the

employment site. Mixed uses schemes are generally encouraged by UDP policies STG 5 and IMP 2, in line with government guidance, subject to the protection of existing uses by other policies.

The other important issue is one of viability. If other employment generating uses are inappropriate, Policy EMP 4 regards the provision of affordable housing as a possible acceptable alternative to employment use. However, the applicants' viability assessment makes a case that more than a maximum of 40% affordable housing would make the scheme unviable. The Council's viability consultant has examined the assessment and supports the view that the letting of offices remains problematic, and that at the rental levels suggested in the appraisal, would have to be cross-subsidised. This adds weight to the view that it would be unreasonable to seek to achieve more than the 293 sq.m. office space now proposed. Otherwise there would be the likelihood of the offices being unlettable and the owners would have to return to the Council at later stage to negotiate a change of use. The nursing home and the crèche, though not employment category uses, would nevertheless deliver jobs, and are considered financially viable alternatives. Affordable housing, as another alternative for the employment site referred to by policy EMP 4, is examined further under the section on Affordable Housing.

On the transport accessibility issue, the traffic and parking generated by the reduced amount of offices, although being equivalent to two spaces under the maximum adopted parking standard, would be manageable and unlikely to lead to any significant problem.

In view of the moderate accessibility of the site by public transport, and it being accepted that a viable scheme will be necessary to cover the costs of redeveloping it, and so making an efficient use of a valuable 'brownfield' asset, the proposed use mix is recommended, subject also to the comments on affordable housing.

Although raised by the GLA as an objection, the loss of the builders' merchants use would not be contrary to any UDP policies, which are not there to protect specific users.

Education

An education supplement of £1, 239, 000 has been requested towards the projected shortage of school places in Hampton Wick/Teddington, due to the increased burden this development would place on local education facilities. The education requirement is based on UDP Policies CCE8 and HSG 18. However, this figure has been disputed by the applicants as it is claimed that it is a disproportionate increase from the figure of £421,652 which was requested at the time of the previous application 04/2579/FUL. There has been a moderate increase in the pupil yield between the 2 schemes. In that scheme it was calculated as yielding 64 primary and 21 secondary school places and this has increased to 74 primary and 22 secondary school places. However, the main reason for the increase is that the Planning Obligations Strategy was adopted by the Cabinet for development control purposes in June 2005 which raised the contribution per child from £4,592 per primary child and £6, 084 per secondary child to £10,536 per primary child and £15,300 per secondary child. It is considered that these are a more accurate reflection of costs. The submission of the current application post-dated that change, but the applicants based their viability assessment on the old figures.

Education officers have responded to the request by the applicant for the lower figure as follows.

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- They acknowledge that the negotiations with developers have been on going, but consider that the Council has a duty to review its Planning Contributions Strategy which has been amended in line with Department for Education and Skills advice.
- The Council note the financial viability of the scheme, but consider education to be a significant issue in the consideration of the development, bearing in mind the need to ensure sufficient educational capacity in an area where there have been difficulties in securing places for resident children in the past few years.
- The argument that the children who would be moving into the affordable housing would already be attending schools in the Borough, were the development to go ahead, is not backed by evidence. It could also be argued that were this to be the case, homes freed up by families moving into the Sandy Lane development would soon be filled up by other families new to the area, giving a net increase in the number of children who would need to be educated within the state sector.
- The developers' opinion regarding the Council's method of conversion is noted, but officers take the view that the Council's methodology is robust.

Education officers general comments are these:

- Demand for places in all year-groups is high within the Teddington area.
- Demand for places at Reception age in the Teddington area necessitated the provision of a 'bulge class' in each year from 2001 until 2004; and an additional, permanent, class for 30 pupils was provided at both St Mary's and St Peter's CE Primary from September 2002 and at Collis Primary from September 2005. The cost of the new build at Collis was £5million.
- Despite all that additional temporary and permanent provision, Teddington remains the Council's most problematic area in terms of school place planning. The pupil forecasts show a considerable shortfall of places from the 2007/8 academic year onwards.
- The Council has a duty under Section 14 of the Education Act to provide school places for the children of all residents who want them. This development will put considerable strain on the Council's ability to meet that duty.
- During their last inspection of the Authority, Ofsted said that a surplus of 4-8% should be maintained. Obviously, having a shortfall would mean that the Council is well below the target and risks failure in its next Ofsted inspection.
- Although the Council is looking at options for further expansion, these are extremely limited within the Teddington area.
- The nearest school, Collis Primary, to the Sandy Lane development is - already heavily over-subscribed - it received 135 application for its 90 Reception class places for 2005 entry - as were all the other infant and primary schools within the Teddington area. Having just been expanded from two- to three-form entry, Collis cannot be expanded any further. This would inevitably mean that children from the Sandy Lane development may have difficulty in gaining admission to Collis, or to any schools in the Teddington area, and would therefore have to undertake travel of up to two miles or more to go to school well out of their area, in Hampton or Whitton. It is surely in the developers' interests, then, that the Council is given the requisite funds to

secure additional educational provision, otherwise the development may well be unattractive to families with young children.

- Teddington Secondary School is also heavily over-subscribed: it received 802 applications for its 225 places for September 2005 entry and has 1138 pupils on roll despite having a Net Capacity Assessment (made by the DfES) of 1120. It is over the published admission number of 225 in each year-group. For both 2004 and 2005 entry, the school was unable to accommodate all the children from its linked primary and junior schools. That meant that no local children who did not have a sibling at the school or who did not attend a linked school had any hope of gaining admission. That situation will only be worsened by the Sandy Lane development.

The applicant's case has been highlighted under Further Amendments above, as to why they consider the supplement should be £698,652. Whilst recognising those issues, and they do carry some weight, it is considered that the Council figures are robust and better reflect a realistic assessment of the current situation, notwithstanding the lower figure requested under the 04/2579/FUL scheme. The change in cost per child is a material consideration and is being applied by the Council on other schemes. It is open to members to take a view on this matter, as to whether they concur with applicant's case for a lesser figure or whether to agree with the officer recommendation.

Health facilities

In the light of the Richmond and Twickenham Primary Care Trust's comments (see Public Representations above), an argument could not be pursued for a developer's contribution towards local health facilities.

Neighbour amenity

The proposal has made several substantial improvements in terms of the impact on neighbour amenity when compared to the previous 04/2579/FUL scheme.

Whereas previously properties on the western side of Cedars Road, and particularly Nos. 52 to 64 Cedars Road would have been confronted with a continuous wall of development extending for a width of 58m at a height of 3 and 4 storeys, 16m behind the rear of the above properties' gardens, this would now be broken into two fully separated blocks. Block G though still at a distance of 17m, in part, behind the rear garden boundaries, would have a width of 22m. It would be 4 storey, but the upper floor would be set back 4m behind the second floor parapet. This would not be substantial enough to be regarded as overbearing. Window to window distance to the rear of Cedar Road houses would be a minimum 41m and therefore too great for a loss of privacy argument to be sustainable. Officers would wish to ensure that adequate tree screening at the rear of the gardens could be retained. The proposal includes a large surface car park sited behind Cedar Road properties. There is already a large car park built to serve Alderney House offices, but it is accepted that the siting would be transferred more into the eastern site corner, where other Cedar Road properties would be more affected. This was also proposed under the previous application, but then the 4 storey Block H would have been 16m behind the rear garden boundaries, whereas currently it is proposed a distance of 24m behind the same boundaries. With Block H exposing a width of 16m to Cedar Road properties, this is considered a substantial improvement. The rear car park was not one of the original objections. It would be slightly larger than last proposed, but even so with appropriate boundary treatment could be adequately screened, with any lighting sited in a non-obtrusive manner.

In relation to the Crieff Court flats, the nearest distance of Block H would be 40m. This distance would be well in excess of the Council's 20m minimum guideline to cover loss of privacy. The distance, would also be too far to cause overbearing or serious visual intrusion for Crieff Court occupiers. Also, there are no rights in planning terms to private views. The relationship to the rear of 2 to 2d Sandy Lane flats would slightly improve compared to 04/2579/FUL, with Block F being sited a further metre off the flank boundary (to a distance of 4m), and Block G being moved further to the side and back from No.2d's boundaries.

The relationship of the new blocks to the rear of School House Lane would now also be considered acceptable. The proposed blocks would be entirely "end on" to School House Lane rather than mainly "side facing" and this would allow substantial gaps to be formed between the buildings. Therefore the excessive enclosure of the previous scheme would not arise. It is understood that the School House Lane Action Group (see Public Representations above), have actively negotiated away second floor conservatories and secured improved screening from terraces with the applicants, for two of the blocks facing across the railway.

Residents from 110 to 120 Bushy Park Road would face the 3 storey nursing home across the road, but this would be the standard relationship of buildings facing one another across most roads. The mansard roof, which has been slightly reduced, would ensure that overall height was similar to the 2 storeys plus roofspace accommodation characteristic of the road. The distance of an upper floor terrace and first floor balcony from the house at 110 Bushy Park Road would be approximately 20m which is the Council's guideline designed to protect privacy, but as stated this is commonplace as a distance between dwellings across a public road.

Drainage

a) Foul

In most cases drainage does not form a planning consideration, but because of the scale of this proposed development, there could be significant implications for the drainage infrastructure of the area. At the time of the previous application ref. 04/2579/FUL, the applicants were unable to reach an agreement with Thames Water, to ensure that there would be sufficient capacity in the foul sewerage network to accommodate the development without the risk of flooding. As a result this formed one of the grounds for refusal. Thames Water have since carried out a study into the capacity of the foul sewerage infrastructure, which the applicants have stated the development would be connected into, and conclude that the infrastructure is currently at its design capacity. It would therefore be unable to accommodate the additional flows from the development without significant reinforcement. Thames Water have predicted that flooding would occur in a 1 in 15 year storm cycle from two separate manholes which would be a risk to the environment, local amenity and public health. As Thames Water have not programmed any funding into an upgrading of the foul sewer infrastructure during the current funding period, they would have to rely on the applicants funding a detailed study into the design of the reinforcement infrastructure, and towards the actual reinforcement works. They have indicated that were the infrastructure successfully reinforced, they would have no objection to the scheme. However, whilst discussions between the applicants and Thames Water have been on-going, it is uncertain whether a satisfactory solution could be achieved without substantial costs, which could affect the viability of the scheme, and therefore other issues discussed in this report. The on-going discussions may resolve these matters but this is unknown at this time. The siting of a pumping station on the site may have implications for the overall scheme. With no formal agreement having been reached with the applicants, the risk of flooding and

the undue burden being placed on the network by the development, would form grounds for refusal.

b) Surface water

Thames Water would be happy to honour existing discharge rates into their surface water sewer, to ensure that flooding could not occur. The applicants do not anticipate that existing discharge will be exceeded as the area of hardstanding for surface water run-off would be reduced. This has now been accepted by Thames Water. They want excess water to be stored on site, and have suggested a planning condition to control the discharge. The applicants are prepared to make contingencies by re-routing excess water for the event of storms. The GLA have requested that a more sustainable drainage system be provided. However, infiltration systems on site may be impractical because of the high site contamination. Further details could be covered by planning condition.

Affordable Housing

In terms of the overall affordable housing content, the scheme would provide 40% of dwellings in the affordable category. This is in line with Policy HSG 6, which also requires 40%, measured by number as well as by floorspace. However, this is an 'employment site' and is subject to Policy EMP 4, which allows for a higher affordable housing component where there would be loss of employment land. In this case, the loss of employment land would be substantial with only 293 sq.m. of the 6479 sq.m replaced. The justification for not providing a higher proportion of affordable housing to compensate for the employment land loss, is that then development would not be viable. The applicant's Viability Assessment, has been checked by an independent consultant, who concurs with the view that the scheme's viability is marginal, and that more than 40% affordable housing could not realistically be carried out. He advised that a 'letter of comfort' should be obtained from the relevant housing association, indicating that adequate funding, from the Housing Corporation or otherwise, would be forthcoming, and this has now been received and confirmed by A2 Housing Association. Only recently has an agreement been reached with officers over the mix of affordable units and their internal size, important in obtaining funding support from the Housing Corporation. If the Council were to press for more than 40% affordable, this could be construed as the Council failing to make efficient use of a 'brownfield' site. The GLA's target for affordable housing is 50%, but this has to have regard to individual circumstances, the site costs being mentioned as one of those. Having reviewed the viability assessment, the GLA are satisfied that the affordable proportion proposed, is the maximum achievable, subject to a Housing Corporation grant being available.

A failing of the previous scheme 04/2579/FUL is that it was not matched to the Council's housing needs, with the lions share (61%) being shared ownership rather than social rented. This has now been substantially addressed with 73.4% social rented and 26.6% being shared ownership. This would come close to the mix sought by the Council of 75% social rented and 25% shared ownership, and would exceed the GLA's 70% minimum for social rented dwellings.

There was within the previous 04/2579/FUL scheme a general lack of larger (3 or 4-bedroom) units, but it was particularly the mismatch between size and tenure, which formed an important part in the affordable housing reason for refusal. The social rented units comprised 61% one-bedroom, although these were mainly required for families and therefore needed to be larger, whilst the shared ownership units, needed to be genuinely affordable, and therefore smaller, were split 70% two-bedroom and 30% one-bedroom. Both this Council and the GLA highlighted the need for more

larger dwellings, but it was acknowledged that the high cost of creating gardens, because of the soil contamination, would make single family houses less viable. However, that should not have necessarily ruled out 3 or 4-bedroom flats.

In the current application, the initial proposal was for 73.4% 2-bedroom and 26.6% one-bedroom affordable flats, but after negotiations with officers to ensure a provision of 3-bedroom flats, a mixture has been arrived at consisting of 12 x 3-bedroom (15%) , 42 x 2-bedroom (53%) and 25 x one-bedroom (32%). Ideally a greater proportion of 3 or 4-bedroom, and a lesser proportion of one-bedroom units would have been desired by housing officers, particularly as the extra one-bedroom units would be social rented, for which there is less need. However, as a package it represents a significant advance, and they are prepared to support it.

There has also been an issue about the size of the two-bedroom affordable dwellings. As they were slightly below the minimum internal size to accommodate four persons, according to Housing Corporation standards, the applicants have needed to enlarge Blocks I and H to meet the 4 person standard floorspace for all of the 42 two-bedroom flats in the affordable sector. (Previously, only the 4 mobility 2-bedroom flats met this larger standard.)

In summary, the 40% of all dwellings would continue to be affordable, of which the 73.4% would be for social rented which is just below the Council's 75% threshold. Of the social rented dwellings, the proportions would be 42 x two-bedroom (72.4%), 12 x 3-bedroom (20.7%) and 4 would be one-bedroom (6.9%). All 21 dwellings for shared ownership, in Block G, would be one-bedroom. Housing officers are prepared to accept this mix. It is understood that the applicants submitted the amended affordable dwelling mix in consultation with the GLA. The GLA request that the details are secured in a section 106 agreement.

Other housing policy

The number of small (one-bedroom) units within the market sector would be 25%, which is the minimum, required to meet Policy HSG 11. Ideally the development should display a mixture of houses and flats, but it is recognised that the provision of houses would add substantially to land decontamination costs, because of the need to remove a greater amount of topsoil in order to make grass areas suitable as gardens.

Wheelchair and other Housing standards

Unlike on the previous scheme, the proposals would provide that 10% of the flats would be designed to accommodate wheelchair users. This will comply with Policy HSG 8 in the UDP. 13 of the units would be in the market sector and 7 in the affordable, which is considered a reasonable spread. The applicants have stated that 100% of the new housing would be built to 'lifetime homes' standards.

Parking

An objection to the previous 04/2579/FUL scheme stemmed from the difficulties which would have been caused by the failure to meet the full maximum parking standard, against a background where a large number of office commuters would be arriving by car due to the site having only a moderate accessibility by public transport. The scheme then was based on a total of 256 car spaces proposed out of a possible 278 spaces, 22 spaces under the then maximum standard. It was considered that there would have been an unacceptable pressure for parking in roads to the north of the site and Bushy Park Road. Wick Road and School House Lane mainly consist of terraced houses with restricted off-street parking and opportunities for further on-street parking would be limited. Localised traffic

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congestion and the search for kerbside spaces would have adversely affected the free flow of traffic, road safety and the local amenity. Sandy Lane itself is unsuitable for parking and Cedars Road and the roads to the south-east of the site are within a Controlled Parking Zone.

Two things have changed in relation to the current application. Firstly, the office content has been drastically reduced, and this would stem potentially large numbers of car-borne commuters arriving in the area. Secondly, the scheme would be providing one space per dwelling on site for the 198 flats, and would meet the maximum standard for the nursing home (17 spaces) and the office (2 spaces). Transport engineers have agreed to the provision of 14 additional visitor spaces due to the inability to park on Sandy Lane and there being very little parking on Bushy Park Road. In addition, a parking survey has been undertaken by transport officers in Bushy Park Road, Wick Road, School House Lane and Fairfax Road, indicating some spare kerbside capacity. There are an adequate number of disabled spaces, although in some cases walking distances to block entrances would be considerable. Overall, the car parking arrangements are considered satisfactory.

Cycle parking facilities throughout the development are generally adequate in number, and reasonably accessible for their intended users. They have not however always been securely designed, which may discourage their full use.

The 8 drop off bays and 5 cycle spaces, and covered buggy area for the crèche are considered acceptable.

Transport

One reason for refusal of the previous scheme was the lack of adequate pedestrian flow information, meaning it was not possible to accurately assess the potential from the development for enhancing bus services. The applicant has now provided a Transport Assessment which gives pedestrian flow information for the site, and which indicates the likelihood of a significant increase in numbers compared to the current levels.

The trip generation figures are predicted as follows during peak periods.

	<u>WALK</u>	<u>CYCLE</u>	<u>BUS</u>	<u>TRAIN</u>	<u>M/C</u>	<u>CAR/TAXI</u> <u>PASSENGERS</u>	<u>CAR</u>	<u>OTHER</u>	<u>TOTAL</u>
8am-9pm	29	4	18	27	3	26	86	4	197
5pm-6pm	37	2	19	17	2	43	96	0	217

It may also be reasonable to assume that a substantial proportion of rail journeys would be commenced or completed by bus because of the distance to Hampton Wick and Teddington rail stations.

This information, which can be used to calculate the numbers using public transport, arriving and leaving the site at peak times, has been passed on to Transport for London. Particularly, in view of the cuts proposed by London Buses which would result in services being cut from half hourly to hourly, with no service on Sundays, and services on other days finishing at 7 p.m., officers had hoped that funds could be made available from the development to at least maintain, if not enhance, bus services. However, Transport for London, who report to the GLA, state that they do not consider the development would have a major impact on the capacity of existing services, and would be of insufficient size to warrant any enhancements.

In arriving at their proposals to reduce the Sandy Lane services, it is unclear how much consideration, has been given by London Buses to the extra pedestrian flows which would be generated by this development, but they are still consulting on the proposed changes to services. Council officers have challenged Transport for London's comments including also their view that the bus routes on Kingston Road would be adequate to serve the development. (It should be noted the nearest bus stops on Kingston Road would be 650m and 730m away from the centre of the development, and would involve a pedestrian route over a remote rail footbridge with steps). However, in such circumstances where, as at present, the relevant funding authorities are not requesting a financial contribution towards services, it would be difficult for this Council to insist upon a payment from the applicants.

The proposal by the applicants to fund a new bus shelter on the north-eastern side of Sandy Lane is supported by Transport for London, and could form part of a Section 106 agreement. Transport for London also recommend that the condition of the bus stop on the south-western side of Sandy Lane should be assessed, and if necessary, also be upgraded.

The applicants have submitted a document which could form the basis of a Travel Plan, in the event of planning permission being granted. This seeks to demonstrate measures to promote alternatives to car use. The Travel Plan would need to provide a framework containing an analysis of current transport links, to enable the production of a full travel plan within 6 months with a travel survey of employees into the site within 3 months, measures to encourage reduced car reliance for residents, and the appointment of a travel plan co-ordinator.

Highways

Transport for London, although considering that the traffic estimates could have been more robust, are satisfied that there would be little relative impact on the strategic road network, the closest point of which is the Church Road/Hampton Court Road junction. Similarly the Council's engineers raise no objections regarding the additional traffic impact on the local road network. HGV movements to the site would be reduced with the removal of the builder's merchants. The re-alignment of Sandy Lane including its widened footway and the additional footway on Bushy Park Road are all acceptable in principle, subject to details being secured through a Section 106 agreement, although engineers would want the highway authority to retain control over a raised table near the junction which controls the pelican crossing and acts as a holding area for pedestrians. . The proposed alterations to the Sandy Lane pelican crossing are welcome in principle. Although originally the applicants had suggested that this be upgraded to a Toucan crossing, officers considered that this would have far wider implications, and have settled for a widening of the existing crossing to accommodate increased pedestrian and cyclist use, with cyclists dismounting. These works have been estimated at £25,000 which should form part of a Section 106 agreement. The radii at the Bushy Park Road junction with Sandy Lane would be designed to accommodate refuse vehicles, but the earlier proposal to introduce parking bays with a narrower carriageway in Bushy Park Road has been dropped at the request of Council engineers, as there would have been difficulty in two trucks passing.

The improvements proposed to the railway bridge including improved lighting and CCTV would be welcome as part of a S.106 package as a survey revealed that the bridge is already well-used and would be likely to increase. This assumes that there would be available funding.

Ideally Council engineers would like all servicing of the nursing home to be from its rear, as that would then remove the need for larger vehicles to turn in Bushy Park Road. However, on the basis of information provided by the applicants about the nursing home's servicing requirements, engineers are prepared to accept the arrangement of refuse vehicles turning at the cul-de-sac by the rail bridge, whilst the smaller transit type vehicles could enter and turn at the rear of the nursing home. Servicing needs for the office would be relatively modest and could take place from a parallel bay across the access road. The 'square' at the south-eastern end of the scheme would be traffic-calmed with rumble strips and tight corners to ensure vehicle speeds were low, also because of the likelihood of there being children using the play area, which would be fenced off. Landscaping details would have to take into account height to ensure adequate visibility in the interests of road safety.

The mini-roundabout with drop-off points parallel is considered a workable layout in the sense that it would minimise obstructions during busy periods. It could be mounted to aid manoeuvring on occasions. A rumble strip on its approach would reduce car speeds.

Refuse arrangements

A refuse strategy has been submitted which would involve the Management Company transferring refuse from the bin storage areas in the semi-basements and other points around the site to collection points for Council operatives. The storage areas would in some cases be quite awkward for occupiers to get to (the Building Regulations requests a maximum of 30m), though the applicants state that there would also be other storage facilities within the buildings. The refuse strategy plan would ensure that bin storage would be within 10m of where collection vehicles could stop, or that the Management Company would transfer bins to collection points on appropriate days. This would appear to involve operatives having to push bins up ramps from semi-basements, but this would be a matter for the Management Company.

Recycling facilities would be based in the semi-basement of Block D. However further facilities would be needed elsewhere within the site, and should be conditioned in the event of planning permission being given.

Noise

Following the objections on the previous application based on the potential for noise pollution from traffic on Sandy Lane and the railway to the north of the site, the applicants have conducted further acoustic studies and made proposals as to how future occupiers would be protected from excessive noise disturbance. On the previous application the applicants' methodology in the calculation of noise readings, was considered to be flawed, a view also taken by the GLA.

The applicants further readings on site in relation to both road and rail traffic indicate readings of Category C based on the Noise Exposure categories (NEC's) in PPG24 Government guidance. Category C indicates above average noise levels on a scale of A to D where D is the noisiest. PPG 24 states that for Category C planning permission should not normally be given, but where it is otherwise considered that permission should be given, conditions should be imposed offering noise protection. Council environmental health officers own noise surveys confirm that the readings adjacent to Sandy Lane would be Category C, whereas the readings adjacent to the railway would be Category B, where planning conditions would normally be sufficient to ensure adequate noise protection.

The applicants' acoustic report surveys the buildings on a block by block basis to assess where noise mitigation measures would be needed. It arrives at a schedule of where double glazing and trickle ventilation would be used, though fails to confirm to what specifications. For internal noise levels, the British Standards set two guidelines, 'good' and 'reasonable', for living accommodation. In this case the 'reasonable' level would be met. However, it is recommended that the 'good' level should be achieved for sensitive development such as nursing homes, crèches as well as residential properties. This would require higher specification acoustic glazing to be used on certain parts of buildings rather than standard double glazing. Also the passive trickle ventilators, which the acoustics report states would be used to prevent the opening of windows, may not be adequate to prevent the overheating of rooms and the British Standard states that where windows are intended to be openable for ventilation, an alternative mechanical ventilation system may be necessary. However, this is controllable by planning condition and environmental health officers recommend that a suitable condition could be imposed requiring a schedule of works stating the standards and criteria to be met for acoustic glazing and ventilation. The GLA have also recommended the imposition of such a condition.

The applicants' acoustic report also recommends screening to outdoor amenity areas including balconies, terraces and grass amenity as noise levels would otherwise exceed the upper limit recommended in the British Standard. Because of the potential for excess noise from trains affecting those who may wish to use the grass areas as amenity space along the northern boundary, the measures could include a fence or wall along this boundary. Though no details are provided, a wall or fence adjacent to the railway could achieve some 10-15 dB(A) reduction in noise from rail traffic, although the 50-55dB(A) WHO standard for external noise in residential areas, would probably not be achieved. Officers recommend that all outdoor screening details be covered within a condition, but then applied critically on a case by case basis. There may be other considerations involved with the widespread erection of screens in the outdoor environment, and this is not seen as necessarily critical for the success of the scheme. It should be borne in mind that the noise levels being sought, both internally and externally, would be below the levels commonly encountered by many residential properties abutting railways and busy roads across the Borough.

The erection of a boundary wall on the railway boundary, may be a factor in contributing to concerns about 'reflected noise' affecting residents to the north of the railway. Residents have already expressed concerns about reflected noise of trains because of the facades of the proposed buildings on this boundary. However, with the re-alignment of the buildings' siting on the current application so that all of the shorter end elevations would face the railway, this would be less of an issue than on the 04/2579/FUL application. It should also be noted that with the removal of the existing single storey buildings along the railway boundary, there would be unlikely to be any significant difference in 'noise reflection' from the existing situation.

Land contamination

Because of the heavy contamination, a Site Investigation Report has been submitted with the application, consisting of a desk-top study of available historic and environmental resources and 2 phases of intrusive investigation, the sinking of boreholes and taking of samples, by a specialist geotechnical consultancy, Southern Testing. The bases of former gasholders are buried up to about 10m depth and there are liquor and tar tanks and other infilled buried structures. In investigating soil and groundwater contamination, the consultants accept that no concrete remediation measures have been proposed yet to deal with unacceptable risks to human health, vegetation and groundwater as a result of contamination by poly-aromatic hydrocarbons, petroleum hydrocarbons, benzene derivatives, asbestos, arsenic and

cyanide. Also, building materials and underground services are considered to be at risk from hydrocarbon contamination. The investigations indicate considerable variations in contamination across the site. Significant contamination has been found in groundwater and from volatile organic vapours. Any redevelopment works at the site would require mitigation measures. Surface water contamination was found to be insignificant when samples were taken from the culverted stream. The proposed development would require deep piled foundations or ground treatment. Spoil generation would in turn lead to off site disposal in licensed landfill sites.

A combination of remedial techniques are suggested including product removal and containment/stabilisation for the deep infilled structures, traditional excavation and removal probably with some pre-treatment, groundwater treatment possibly by 'pump and treat' and bio-remediation. In general the applicants would wish to minimise the need for off-site disposal of waste.

However the initial investigation is not a definitive remedial strategy and tests and discussions are on-going with the Council's Land Contamination Officer. Because this is a lengthy process, it is as yet uncertain to what depth treatment or excavation will be needed for different parts of the site, and to what extent treatment on site or disposal to landfill sites will form part of the final remediation strategy. However, the Land Contamination Officer is satisfied that the site investigation work undertaken to date and the applicant's approach to this, suggests that they may be able to fulfil remediation works to a satisfactory standard. The Environment Agency have also considered the Site Investigation Report and are not raising objections at this stage, though they would want to assess the remediation strategy in due course.

Though the applicants would wish to justify the amount of development being proposed by the need to offset the cost of the investigation and remediation works, officers would not allow this to compromise satisfactory remediation standards for the decontamination of the site.

A condition to cover the following points is considered feasible;

- a detailed site appraisal demonstrating the distribution of contaminants of concern;
- a detailed quantitative risk assessment for identified contaminants and sensitive receptors with agreement from regulators on the remedial targets;
- a remediation and monitoring strategy to be agreed with regulators and then implemented.

Play space

The School House Lane site is D9 Proposal Site in the UDP where it is proposed to upgrade the park into a children's playground.

Under the previous application, the lack of dedicated play space formed part of a general reason for refusal based on cramped overdevelopment and poor quality amenity space. The lack of play space was also a GLA objection. The amended plans show two dedicated play areas, one being approximately 8m by 7m within the square in the south-eastern part of the site and the other approximately 50 sq.m. on the north-western side of the crèche. Both would be well overlooked by residential properties. Details of fencing around the areas should be a condition of any permission, particularly in the case of the play space within the square, due to the proximity of moving vehicles, although in that case the adjoining roads would be designed to restrict vehicle speeds. The earlier proposals to request a contribution towards the provision of play equipment in the small park at the end of School House

Lane, in accordance with Proposal Site D9 in the UDP, and to make unspecified improvements in Bushy Park are not being pursued. It is considered that the proposed provisions on site would adequately answer the deficiency in play space for toddlers of the earlier scheme. The proximity of Bushy Park would partly help to meet the need for recreational space for older children.

Archaeology

English Heritage's archaeological advisor's comment in relation to the previous 04/2579/FUL application that the desk-based assessment then submitted was satisfactory and that no pre-determination archaeological field evaluation was recommended, has been followed.

Trees

Two mature trees, a Yew and an Ash, within rear gardens at Cedars Road, are close to the application site boundary. Roots to these trees would be harmed due to the construction of parking bays close to this boundary. The trees offer good screening for the houses behind, and it would be difficult to provide adequate replacements. However, the arboricultural officer has indicated that a condition could be imposed requiring a method statement of the works in close proximity to the trees. This would enable officers to control the process around the removal of existing and construction of new surfacing, pruning, materials and other tree protection measures. It may be an option to leave existing hardstanding undisturbed which would remove the threat to tree roots. In the absence of any planning permission being granted, the inability to impose a condition would form a ground for refusal, but as stated, this could be resolved through a planning condition. The applicant has confirmed they will accept a method statement as a condition.

Crime Prevention

The main issues raised by the Crime Prevention Officer relate to the security of the car parks. However to insist upon no basement parking and the re-siting of the main surface car park would put too onerous a demand on the scheme's viability and workability in other respects. In relation to the main surface car park at the eastern end of the site, the large majority of spaces would be well overlooked by residential properties, and no space would be further than 30m from a residential building. In the event that permission was being granted, a condition could be applied to ensure that effective access controls and grilles were provided for the basement car parks, and the plans show indicatively roller shutters to the access ramps. The recommendations for laminated glass, trellising, and sash windows can be controlled where appropriate by condition, or otherwise informatives added.

Energy and Resource Conservation

The incorporation of ecologically based design principles including measures to conserve energy and resources are supported by policies in the UDP and through the GLA. The previous application was refused partly due to the lack of a convincing case being made by the applicants, that they had seriously considered the full range of energy efficiency measures and the full potential for energy and resource conservation within the scheme's design.

The current scheme, whilst relying on most of the same energy saving measures as within the previous application, has provided a stronger justification for the selection of those measures. The main measures stated are, the inclusion of energy efficient gas boilers, provision of SAP of 80 or more (building energy rating covering insulation, heating method etc. on a scale of 0-120) for new dwellings, double glazing, energy efficient lighting and the use of sustainable and locally-sourced construction materials where possible. Previously it was considered that the choice

for energy efficient gas condensing boilers had not been rigorously enough compared. The GLA has a hierarchy of energy heating systems based on progressively more efficient technologies, and though these are within the hierarchy, they are considered the least sustainable. Consequently the GLA have asked the applicants to investigate the possibility of a communal heating system, because of their greater efficiency and adaptability to newer technologies, such as hydrogen fuel cells. The applicants have since updated their energy report and indicate that they have considered this option, as well as the other options in the Mayors energy hierarchy, and point out that boilers controlled by individual users would be more economical than where controlled centrally and that there would be significant 'up front' capital costs and management costs in running a communal heating system. The GLA are no longer raising objections on this subject.

One substantial benefit in energy efficiency of the current scheme over the previous is the inclusion of solar heating panels on the flats' roofs. These would deliver approximately 10% of energy demand and represents the introduction of renewable energy. Also, on this occasion an energy audit of the buildings has been provided, which is a requirement of Policy BLT 31.

The main conclusion is that the overall saving in energy consumption, principally through the gas condensing boilers and improved insulation measures, would be at 19% above the minimum standard which can be enforced through building regulations. Although it is considered that there could be scope for further energy efficiency and resource conservation measures, it is clear that the applicants have examined a range of options in some depth, would include renewable energy within the scheme, and that an energy audit of the buildings has been included. At this stage in the evolution of Council policies on energy conservation, these measures are considered satisfactory, and an improvement on the 04/2579/FUL application. This has been substantiated by the Council's energy conservation officer.

Regarding sustainable drainage systems, the provision of water butts for rainwater harvesting and porous pavements are positive steps, though the site would mainly be drained by a traditional gravity system. Because of the substantial land contamination, infiltration type drainage e.g. soakaways, would be impractical. On balance, it is accepted that the introduction of some grass and soft landscaping onto a site currently with a high coverage of impermeable hardstanding, would reduce the high run-off of surface water.

However, as energy and resource conservation measures would need to be secured by condition, and permission is not being recommended, the failure to top secure them would also form grounds for refusal.

Conclusion

The proposed scheme has made considerable improvements upon the scheme 04/2579/FUL which has been the subject of an appeal, now withdrawn, which had 16 reasons for refusal. The main improvement has arisen through the reduction of the buildings from 16 to 11. This development, though undeniably using a different architectural typology to the surrounding area, would result in a far less abrupt change in scale. The size of buildings would relate more comfortably to the intervening spaces, and would for the most part, not appear cramped. There is also considered to be a stronger design concept, with formally designed public spaces at either end, and a strongly identifiable building at the centre, which would act as a focal point around an informal area of grass and trees. Although overall amenity space would still be modest, and the density still high, far more of the public areas on site would be genuinely useable than on the previous scheme. The spacing between

the buildings would also mean that views through the site would be feasible. This, and the alterations in height and siting adjacent to Sandy Lane, would mean that, unlike the 04/2579/FUL scheme, there would not be the perception of a 'wall of development' when viewed from the park. The reduction in the physical mass of the buildings would also adequately address previous objections based on the unneighbourly and overbearing visual impact upon residential occupiers in adjoining areas. The architectural style and attention to design detail is considered imaginative, and the removal of the two unattractive existing buildings from the streetscene would be a significant benefit.

Another major improvement on the previous scheme is the substantial reduction in the office element. Although this is classed as an employment site, the existing offices on site benefit from a parking facility which could not be justified in the context of current policies, which seek to locate offices into local centres or sites with better accessibility to a range of transport modes. As such, the substantial traffic and parking congestion which would have been likely to accompany the previous scheme would be avoided.

The resulting substantial loss of an employment use, normally contrary to Policy EMP 4, can therefore be justified. The replacement uses, though providing more jobs than the artificially low employment numbers at present, would nevertheless be expected to provide replacement uses supported by Policy EMP 4. Affordable housing should normally be in excess of the 40% now proposed, which would be at the same level as on a non-employment site. However the applicant's viability assessment demonstrates that there would be a considerable difficulty in achieving a viable scheme with more than 40% affordable housing. This is clearly very much because of the high site decontamination cost.

However, the applicants have disputed the contribution towards education facilities requested. Their arguments have been considered, but officers remain of the view that the higher figure is appropriate and could be defended on appeal. The failure to reach an agreement on appropriate sum, means that the increased burden which would be placed on local education facilities would form grounds for refusal.

The reason for refusal based on objections raised by Thames Water during the last application, due to the projected impact of the development on the foul sewerage network, has not been resolved. The implication is that in the absence of sufficient funding being made available by the applicants, to upgrade the infrastructure, the existing network could not accommodate additional flows from the development, and this would lead to unacceptable flooding during peaks, with the resultant harm to the environment, local amenity and public health. This therefore forms grounds for refusal.

No contributions are sought for either primary health care or public transport (apart from upgrading Sandy Lane bus shelters) due to the relevant funding authorities not making requests. In the latter case officers have challenged the assumptions made by London Buses, but the GLA have not been minded to change their stance.

The mix of affordable housing would, following negotiations, be broadly in line with housing needs, in terms of the tenure and the size of unit requirements, although there is some disappointment that a greater proportion of larger units for social rent could not be negotiated. It would nevertheless be a substantial improvement on the previous scheme.

The proposed re-alignment of Sandy Lane and other highways works, including the upgrading of the Sandy Lane pelican crossing, would be acceptable in principle to highways engineers. Improvements would also be undertaken to rail footbridge as part of a Section 106 agreement.

Earlier objections to the previous scheme based on noise for future occupiers, land decontamination and trees could be covered by condition, whilst the earlier objections to the lack of wheelchair housing, lack of adequate play space and inadequate justification for the energy efficiency measures are now considered satisfied.

Two matters, the failure to fund the burden placed on the foul sewer infrastructure, to satisfactorily accommodate flows, arising from the development, and the failure to agree a financial contribution towards education facilities, form grounds for refusal.

However, as the Council's ability to apply planning conditions or clauses in a legal agreement at a future date might be prejudiced, were the application to be approved in due course, further reasons for refusal should also be applied at this stage based on land contamination, noise, energy efficiency and trees. It is likely that these reasons could be resolved by conditions mutually agreed by exchange of correspondence between the applicants and Council.

I acknowledge the benefits of the scheme referred to in the first paragraph of the Professional Comments and in this conclusion, but on balance, consider these to be outweighed by the outstanding issues referred to above.

I therefore recommend that the **APPLICATION WOULD HAVE BEEN REFUSED** had it not been appealed for non-determination, for the following reasons;

- In the absence of any agreement to make an appropriate contribution towards the shortage of school places in the local education area, the proposals would place an undue burden on local education facilities and this would be contrary to Policies HSG 18 and CCE 8 in the Unitary Development Plan: First Review 2005 and Policy 3A.21 in the London Plan.
- The applicant has failed to demonstrate that there would be sufficient capacity in the foul sewerage network to accommodate the additional foul sewage discharge from the development, and this may result in flooding and an undue burden being placed on the network and the resources of the relevant statutory bodies. This would be contrary to Policy ENV 38 in the Unitary Development Plan: First Review 2005 and Policy 4A.13 in the London Plan.
- In the absence of adequate mitigation measures being proposed, the siting of the proposed car park near the south-eastern site boundary, would severely compromise the retention of yew and ash trees in the immediate vicinity of this boundary, and their loss or any substantial harm to them, would be detrimental to the amenity of nearby residents and the area generally. This would be contrary to Policies ENV 9 and BLT 14 in the Unitary Development Plan: First Review 2005.
- The applicant has failed to adequately demonstrate that noise levels for future occupiers inside the proposed development would be within acceptable levels advocated in government guidance and this would be contrary to Policy BLT

30 in the Unitary Development Plan: First Review 2005 and Policy 4A.14 in the London Plan.

- In the absence of a strategy having been agreed by the Local Planning Authority for the remediation of contaminated land, the applicant has failed to demonstrate that appropriate measures would be put into place to ensure that the development would be implemented without harm being caused to public health or the local environment. This would be contrary to Policy ENV 6 in the Unitary Development Plan 2005: First Review and Policy 4A.16 in the London Plan.
- The applicant has failed to adequately demonstrate that the full range of energy efficiency measures and that the full potential for energy and resource conservation have been thoroughly considered in designing the proposed buildings. The proposal therefore fails to comply with Policies BLT 11 and 31 in the Unitary Development Plan: First Review 2005 and Policies 4A.8, 4A.9 and 4B.6 in the London Plan.

Standard Informatives:

IL05 - Decision Drawing Numbers – 2aC, 2bC, 3B, 9C, 10C, 16C, 21B, 22B, 23B received 18 July 2005, 7bB, 8E received 22 August 2005, 4aD, 4bD, 5D, 6aD, 6bD, 7aC, 13E, 15D, 17C, 18C, 19D, 24B, 27B, 29, 30, 051027 IF Refuse Strategy received 9 November 2005, 01G, 11F, 12F received 14 November 2005, Environmental Statement with Technical Papers – Land and Groundwater Pollution, Utilities, Foul and Surface Water Drainage Strategies, Flood Risk Assessment, Archaeology, Environmental Noise Survey, Non-Technical Summary, Transport Assessment (Volumes 1 and 2 and Outline Travel Management Strategy), Sustainability Report, Planning Statement, Design Statement all received 18 July 2005.

Background papers

Application forms and drawings ref. 04/2579/FUL (and duplicate 04/2583/FUL) and Appeal documentation ref. 04/2579/FUL; Letters of representation
