

Director of Growth
Nazeya Hussain



THE ROYAL BOROUGH OF
KINGSTON
UPON THAMES

Our reference: 20/02152/PRE

15 January 2021

Mr. Kasun Bandrar
(By email only)

Royal Borough of Kingston upon Thames
Guildhall 2, High Street
Kingston upon Thames
KT1 1EU

Enquiries to: Harsha Bhundia
Direct Line: 020 8547 4697

Website: www.kingston.gov.uk
Email: development.management@kingston.gov.uk

Dear Mr Bandrar,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

RE: Worcester Park Former Public Conveniences

PROPOSAL: Demolish the existing Former Public Convenience and construct four bedroom detached house.

Thank you for your request for pre-application advice in relation to land at the above address. Please accept my apologies for the delay in issuing this response.

Please accept the following information as advice from the Royal Borough of Kingston upon Thames regarding your scheme. The Planning Officer responsible for coordinating and preparing this pre-application advice is Harsha Bhundia. If you would like to discuss this advice, please telephone 020 8547 4697 or email development.management@kingston.gov.uk.

The following comments and observations are made in relation to the revised proposals sent to the case officer via email on 12 October 2020.

Planning history

None relevant

Site Description

The application relates to single storey former public conveniences located on the south-western side of Malden Road, Worcester Park. The site is located within the Old Malden Conservation Area (Old Malden Area B). To the south of the site are residential properties, with The Plough Pub (Grade II Listed Building) and The Plough Green to the north-west and The Plough Local Centre to the north-east, on the opposite side of the road. The site has a Public Transport Accessibility Level of 3 (Moderate) and is located within Flood Zone 1 (low probability).

Material planning considerations

Development Plan

- LDF Core Strategy (2012); and,
- London Plan 2016.

Material Planning considerations

- National Planning Policy Framework (2019);
- Intend to Publish London Plan;
- Planning Practice Guidance (web based); and,
- Residential Design Supplementary Planning Document (2013).

Principle of development

Policy DM 24 of the LDF Core Strategy 2012 advises that the Council will resist the net loss of community facilities unless there is evidence to suggest the facility is no longer needed, where appropriate, it has been vacant and marketed for a community use without success, or it can be re-provided elsewhere or in a different way.

Given the predominant residential character of the surrounding area and subject to the above being demonstrated, the proposed redevelopment of the site for residential purposes is considered acceptable from a land use perspective.

Character, Appearance and Heritage

Section 16(2) and 66(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the building, or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Paragraph 193 of the NPPF 2019 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is supported by Policy DM 12 of the Core Strategy which seeks to

preserve or enhance locally distinctive heritage assets. Policies CS 8, DM 10 of the Core Strategy, in conjunction with the Council's Residential Design SPD, requires development proposals to be of a high design standard and to relate well to their surroundings.

Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps to make development acceptable to communities.

At the regional level, Policy 7.4 of the London Plan 2016 requires that development have regard to the form, function and structure of an area, place or street, as well as the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.

Accordingly, Policy CS8 of the Council's Core Strategy 2012 states the Council's intention to protect the primarily suburban character of the Borough, its existing buildings and areas of high quality and historic interest from inappropriate development. The Council will seek opportunities for sensitive enhancement in these areas and in areas of poorer environmental quality, where character has been eroded or needs improving. The assessment of development proposals will be guided by the Borough Character Study and the Residential Design SPD, ensuring that new development:

- Recognises distinctive local features and character
- Has regard to the historic and natural environment
- Helps enhance locally distinctive places of high architectural and urban design quality
- Accords with neighbourhood "strategies for delivery" set out under "Character, Design and Heritage"
- Relates well and connects to its surroundings

Policy DM10 identifies the most essential elements in contributing to the character and local distinctiveness of a street or area which should be respected, maintained or enhanced. These include:

- Prevailing development typology, including housing types, sizes and occupancy
- Prevailing density of the surrounding area
- Scale, layout, height, form (including roof forms) and massing
- Landscape setting and features
- Plot width and format, which includes spaces between buildings
- Building line build-up, set-back and front boundary
- Typical details and key features such as roof forms, window format, building materials and design detailing of elevations, existence of grass verges etc.

The application site comprises a small plot of land bordered by two-storey semi-detached residential dwellings to the south-east, Plough Green to the north-west, the Plough pub to the west and The Plough Green Local Centre to the east, on the opposite side of Malden Road. The site has an existing single storey detached building formerly used for public conveniences, with mature vegetation bordering the side and rear boundaries. The site is located within a Conservation Area, and the current building features similar architectural details as the Plough pub to the west of the site, which is a Listed Building, with a hipped roof form with bonnet edge roof tiling, and facing brickwork. In order to satisfy DM12 of the LDF Core Strategy, the proposals should respect the features of the Old Malden Conservation area, retaining similar detailing and architectural styles.

To my mind the proposed scheme would need to respond appropriately to the established building line along Malden Road, whilst ensuring the proposal preserves or enhances the character of the Old Malden Conservation Area and the setting of the Grade II listed Plough Public House. Currently, the two storey house would respond appropriately to the height of the buildings along Malden Road, however, it would sit considerably forward of the established building line which would appear as an incongruous form of development. Furthermore, I recognise that you have conducted some contextual analysis of the surrounding built form including that of the Conservation Area, however, I am not convinced that the design, particularly the roof form, is an appropriate response to the Old Malden Conservation area within which it would be located, nor preserve the setting of the listed building. During our discussions it has been recommended that you consider consulting a heritage consultant to inform the design approach of any future submission which remains my advice.

To my mind, the plot is very modest and I am concerned that the provision of a two storey 3 bedroom unit would result in a cramped and contrived form of development. Overall, were a planning application for the pre-application proposal to be submitted, I would be unable to support the proposal. I remain to be convinced that the construction of any substantial building on this piece of land would be acceptable in heritage and townscape terms.

Quality of accommodation

Paragraph 127 of the NPPF states that planning policies and decisions should create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users. Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.

Accordingly, Policy 3.5 of the London Plan 2016 requires boroughs to seek to ensure that new development reflects the above standards. New homes should have adequately-sized

rooms and convenient and efficient room layouts, which are functional and fit for purpose, meeting the changing needs of Londoners over their lifetimes.

Any dwelling should also have a floor to ceiling height of at least 2.3m across two thirds of its floor area. The London Plan goes further, with standard 31 of the Mayor's Housing SPG 2016 strongly encouraging a ceiling height of 2.5m, in recognition of the fact that ceiling heights are an important element in the design of a dwelling in the unique circumstances of London.

Policy DM10 of the Council's Core Strategy requires that developments have regard to the amenities of occupants in terms of outlook.

The council applies the London Plan space standards for all new residential development and the proposed scheme would exceed the minimum floorspace requirements for a 3 bedroom, 4 person unit and I would expect any forthcoming proposal to demonstrate that an internal head height of 2.5 metres can be achieved. The unit would be dual aspect which is supported. In terms of access to sunlight/daylight, it would need to be demonstrated that future occupiers would have adequate access to daylight at ground and first floor.

In accordance with Policy 3.8 of the London Plan 2016, I would expect any new dwelling to be designed to be wheelchair accessible i.e to meet Building Regulation requirement M4(3) "wheelchair user dwellings".

Private amenity space

Policy 3.5 of the London Plan 2016 states that the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, taking particular account of the needs of children, disabled and older people. The policy states that development proposals which compromise the delivery of elements of this policy may be permitted if they are demonstrably of exemplary design and contribute to the achievement of other objectives of the Plan.

Policy DM10 of the LDF Core Strategy 2012 states that development proposals should ensure adequate private and/or communal amenity Space. Policy Guidance 13 of the Residential Design SPD 2013 states that where the prevailing character allows 50sqm of private amenity space should be provided for each new dwelling. For flatted developments, a minimum of 10 sqm of private outdoor space should be provided per new flat and an extra 1 sqm should be provided for each additional occupant. In addition to these requirements, new flatted developments should provide at least 50sqm of private communal amenity space, plus where less than 10sqm private amenity space is provided per flat, the shortfall should be added to the total amount of communal amenity space.

The proposal appears to provide over 50 square metres of amenity space, discounting the car parking area, which complies with the minimum space standard. Although whilst the amenity area would meet the minimum space requirement, the garden area is located to the side of the house and is of an unusual arrangement which is not a feature of the prevailing character of the area. Therefore, any forthcoming application would need to demonstrate that good quality, usable amenity space that is fit for purpose as required by policy guidance 13 of the Council's Residential Design SPD can be delivered.

Residential Amenity Considerations

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

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

The Residential Design SPD states that for all new residential development (including conversions and changes of use), the priority should be to provide and protect acceptable levels of amenity for both existing and future residents. On smaller sites, the prevailing character of the area may dictate what separation distance will be but in general, minimum separation distances should be maintained using the following standards:

- A separation distance of no less than 21m shall normally be maintained between facing windows of habitable rooms
- A separation distance of 7.5m shall be maintained between new habitable room windows and the boundary to neighbouring properties or 15m between new habitable room windows and the flank wall of a neighbouring property
- Where the site topology, landscape features or adequate screening is in place it may be appropriate to relax these distances
- In all cases, developers should demonstrate, through a design and access statement, how adequate visual and acoustic privacy will be achieved – consistent with the Mayor's Housing SPG paras 2.3.30/Standard 5.1.1

New development should be designed so that new buildings or extensions to existing buildings stand a reasonable distance from the boundary of the property so as not to block an unreasonable amount of light from any existing windows of neighbouring properties. As such, new development will be assessed against the 45° and 25° rules, as set out in the British Research Establishment *Site layout planning for daylight and sunlight: a guide to good practice*, 2011.

No windows facing No. 375 Malden Road are proposed and therefore the proposal is unlikely to have an adverse impact on the amenity of the occupiers of this dwelling in regard to privacy.

It is considered that the proposed development is unlikely to give rise to unacceptable levels of overshadowing or loss of sunlight/daylight to neighbouring habitable room windows or gardens. However, this matter would need to be checked at the planning application stage with the benefit of full drawings and a site visit.

Housing Mix

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

The proposal would deliver a 3 bedroom unit comprising one double bedroom and two single bedrooms. This would comply with Policy DM13.

Highways and Transportation

The applicant would be required to demonstrate compliance with Policies DM9 and DM10 of the LDF Core Strategy, 2012 in order that the proposed development has regard to local traffic conditions and does not contribute to congestion or compromise highway safety.

Paragraph 110 of the NPPF 2019 states that applications should give priority first to pedestrian and cycle movements, both within the scheme and in neighbouring areas, and second to facilitating access to high quality public transport, with layouts that maximise the catchment area for such services. They should also: address the needs of people with disabilities and reduced mobility; create places that are safe, secure and attractive, which minimise the scope for conflicts between pedestrians, cyclists and vehicles; allow for the efficient delivery of goods and access by service and emergency vehicles; and be designed to enable charging of ultra-low emission vehicles in safe, accessible and convenient locations.

The site has a public Transport Accessibility Level (PTAL) of 3 (moderate).

One off street car parking space is proposed, however, part removal of street furniture, namely the guard rail would be required in order to facilitate a cross over, but more crucially, the crossover would be within 10 metres of a formal pedestrian crossing as well as a junction (vehicular access to the Plough Public House) and therefore is unlikely to be supported by the Local Highway Authority.

During the pre-application meeting you indicated that the applicant would be prepared to amend the proposal to remove the off street parking space from the proposal. If so, any forthcoming application should include an on-street car parking capacity survey (Parking Beat Survey) to demonstrate that any overspill car parking from the proposed development would not unacceptably impact on-street car parking stress and highway safety in the area.

Please be aware that the planning authority is likely to 'car cap' the proposal, in other words, require the applicant to enter into a legal agreement precluding future occupiers from obtaining a parking permit to park in a residents parking bay, in the event a CPZ is introduced.

The submission of a construction management plan in any forthcoming application is highly recommended to demonstrate that the scheme could be delivered without prejudicing highway and pedestrian safety.

Sustainable Transport

In relation to cycle parking provision the development will be required to meet the standards set out in Table 6.3 of the London Plan, 2016 and those within the Council's Sustainable Transport SPD, 2013. This applies to both long stay and short stay cycle parking spaces. However, the Applicant is encouraged to provide in excess of these minimum standards to promote sustainable modes of transport.

Officers would seek at least 2 long stay and 1 short stay cycle parking spaces for the proposed dwelling, however, any future application would need to demonstrate that cycle stores could be comfortably accommodated within the curtilage of the dwelling without compromising the quantum and quality of the amenity areas.

Trees and Landscaping

Paragraph 127 of the NPPF advises that local authorities should ensure that developments optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public spaces). This is supported by Policy 7.2 of the London Plan which states that existing trees of value should be retained and any loss as a result of development should be replaced.

Policy DM10 of the Core Strategy seeks to ensure that landscaping is an integral part of the overall design of all new developments, and that new developments should have regard to the public realm and to ways in which it can be enhanced as an integral part of the design of the development.

The council's online mapping system indicates that the site is located within and adjacent to a group Tree Preservation Order (TPO). However, this TPO designation no longer applies as it is a historic, lapsed TPO which refers to the death of the Elm trees that once stood on the site and were all lost through Dutch Elm Disease in the 70's. The site is located within the Conservation Area, however, based on Google "street view" images available on the internet, the trees all appear to be smaller, poor quality specimens that would only be considered to be Category C. It is not likely that these would present a constraint to the development and Officers are unlikely to have any objection to some tree removal or sympathetic works to facilitate development, along with mitigation planting and an appropriate landscaping scheme. However, any forthcoming application should include an Arboricultural Report including details of removals/retentions and a detailed landscape and planting plan.

Please also bear in mind that the presence of so many trees (some of which may be high water demand according to species) on heavy London Clay will necessitate that the proposals are built with specially engineered foundation solutions (most likely piles) which should be considered as part of the design.

Summary

The council cannot currently demonstrate a 5 year housing land supply and therefore the provision of a new dwelling would constitute a benefit of the scheme, however, the loss of the community facility would need to be addressed, otherwise it would weigh against the scheme. Furthermore, officers would be unable to support the provision of a vehicular crossover in this location. More crucially however, I have significant concerns in relation to the scale of the development on this very modest plot, as well as the resulting impact of the setting of the Grade II listed building located to the rear, as well as the Old Malden Conservation Area. I remain to be convinced that any building or substantial structure on the site would be appropriate given the positive contribution the site makes to the Conservation Area and the setting of the Listed Building.

The Planning Application Process:

Should you wish to submit an application, you would be required to submit a planning statement and robust supporting documentation with your planning application. This should include (but not limited to) the following:

- Site Location Plan (1:1250);
- Block Plan (1:500);
- Scaled Existing Elevations and Floor Plans (1:100/1:50);
- Scaled Proposed Elevations and Floor Plans (1:100/1:50);
- Application and CIL forms;
- Heritage Impact Assessment;
- Design and Access Statement inc. hard and soft landscape design info.;
- Daylight/Sunlight/Overshadowing Assessment;
- Flood Risk Assessment/drainage strategy
- Parking Beat Survey and Travel plan (proportionate to the proposal)
- Waste and Recycling Management Plan;
- Arboricultural report; and,
- Outline Construction Management Plan (recommended).

The full Validation Requirements list is available on the Council's website via the following link:

https://www.kingston.gov.uk/downloads/file/41/validation_list

The Council will make every effort to ensure that the advice given in the pre-application process is as accurate as possible. However any advice given by Council officers for pre-application enquiries does not constitute a formal response or decision of the Council with regard to any future planning applications and, whilst it may be a material consideration, it cannot be held to bind the Council in its formal determination of a subsequent application.

It should be noted that the weight given to pre-application advice notes will decline over time. Advice for schemes submitted more than 1 year after the date of issue will not be valid.

In accordance with Council's pre-application procedures, the next round of consultation and advice will also be subject to a fee.

Please do not hesitate to contact the relevant case officer to discuss any points raised above.

Yours faithfully,

Barry Lomax
Head of Development Management (Acting)