19/02504/FUL,Site Address: Regents Wing And Pain And Diabetes,Building, Kingston Hospital, Coombe Road,Norbiton, KT2 7QB

Comments by Caroline Shah

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1. Possible Breach of London Plan Policy D12 A on Fire Safety

London Plan Policy D12 A states that ALL development proposals MUST achieve the highest standards of fire safety and "ensure" that they do six essential things, including providing sufficient unobstructed outside space for fire appliances to be positioned on and for use as an evacuation assembly point. ***NONE of these is assured in the current planning application which completely IGNORES Part A of Policy D12***. Planning officers have therefore failed to inform decision makers of a key policy which this development Possible Breaches.

The Possible Breach is extremely serious given that this development is for elderly people who will be slow to escape in the event of a fire.

A In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

1) identify suitably positioned unobstructed outside space:
   a) for fire appliances to be positioned on
   b) appropriate for use as an evacuation assembly point
2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
3) are constructed in an appropriate way to minimise the risk of fire spread
4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

2. Possible Breach of London Plan Policy D12 B on Fire Statements

London Plan policy D12B states that a Fire Statement "should" be submitted with all major development proposals. Given the size of this proposal, the nature of its occupants and the

B All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

The statement should detail how the development proposal will function in terms of:

1) the building's construction: methods, products and materials used, including manufacturers' details
2) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
3) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
4) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these
5) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
6) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

proximity of existing residential homes and a hospital to the site, it cannot be justified that such as statement should be omitted.

The statement ensures that key issues such as the fabric of the development, construction methods, means of escape, fire reducing features, access for service personnel and equipment, access for fire appliances and future modifications to the building will be dealt with during the planning process. There will be no certainty as to whether this policy will be met if the Fire Statement is left as a vague condition of planning approval.

3. Possible Breach of London Plan Policy D9B (3) – Tall Buildings

The proposed location for this development has not been identified as suitable for a tall building. Paragraph 78 does not provide reasoned justification for an 8 storey TALL building in this location, as all other taller buildings in the area are only 5 or 6 storeys high. Granting permission to this development would set a terrible and policy Possible Breaching precedent for historic Norbiton. Point 79 – that in context – the "principle of a tall building could be acceptable" in this location is not at all justified by any of the assertions laid out. These refer only to the fact that some surrounding buildings are 6 storeys in height and to the PTAL 4 of the site. These facts do not in any way point to the suitability of the site for a tall building.

4. Possible Breach of London Plan policy HC 13 B1 – affordable housing

The proposed application will not deliver affordable housing onsite and therefore possibly breaches this policy.

5. Possible breach of London Plan Policy SI1 D – Air Quality

The officers' report does not provide evidence of how the developer plans to comply with the Non-Road Mobile Machinery Low Emission Zone and reduce emissions from the demolition and construction of buildings following best practice guidance as required by the above policy

6. Possible Breach of Policy D11 - Safety, Security and Resilience to Emergency

There is no evidence that The London Fire Commissioner has been consulted either on the design of the development or on the implications of the phased demolition and construction process for fire safety or that the Met Police has been consulted on security and crime measures as required in D11 3.11.2. and 3.11.4.

7. PTAL connectivity and future demand for train services have not been represented accurately and assumptions made about public transport are not substantiated with evidence

South West Trains has announced its intention to cut peak hours services through Norbiton from 6 to 4 trains an hour from 2022. This has not been taken in to account in the report.

There has been no cumulative effect of demand for public transport coming forward from other approved developments in the area such as The Old Post Office, Eden Walk and The Homebase development.

8. Parking provision in Possible Breach of Policy T6 Table 10.3

In paragraph 163 of their report, officers assert that developments of 1 to 3 bedroom units in Outer London with a PTAL of 4 can provide between 0.5 and 0.75 parking spaces per dwelling. This is correct but it is not relevant to this planning application.

London Plan policy SD1 shows that Norbiton is part of the so-called "opportunity " area in Kingston. If this is the case, the maximum parking allowance for this development should be 0.5 car parking spaces per unit NOT between 0.5 and 0.75 places per unit as indicated by officers.

Indeed, car parking provision in the plans for redevelopment of the Cambridge Road Estate is 0.5 spaces per unit. The difference is not explained by officers relative to the policies laid out in the London Plan. See APPENDIX THREE for the relevant London Plan policy details.

Source: Transport assessment for Cambridge Road Estate 20/02942/FUL Part 1 Appendix 2.7, dated 25 October 2021

4.6 Proposed Car Parking

4.6.1 The development proposes the removal of all the existing car parking spaces on site and reprovision on a plot by plot basis. The applicant proposes a total of 848 car parking spaces within the site, which is a ratio of 0.4 spaces per dwelling. This complies with both TfL and RBK's comments during the pre-application discussions, and also complies with Parking Standards provided in Table 10.3 of the Draft London Plan. Car parking will be provided both on-street, on-plot surface parking and in podium/basement car parks.

9. Possible Breach of London Plan Policy H13 B5 - Access

The officers' report states that access to the development will be via Coombe Lane "*and through the hospital grounds*", This appears to be in conflict with the policy requirement that "*pick up and drop off facilities …should be suitable for taxis, minibuses and ambulances*".

No assessment appears to have taken place of the volume of such traffic that the development will generate and how it will interact with hospital traffic and also traffic on Coombe Lane which is often severely congested. There also does not appear to be any assessment of how traffic from this development will affect the safe and efficient movement of hospital vehicles entering and exiting the hospital grounds.

165. The proposed development would utilise the existing access from Coombe Lane and through the hospital grounds. Servicing, drop-offs, access and egress from the site would be achieved via a large dual purpose forecourt to the east of the main building. The junction with Coombe Lane would be improved with a 'Copenhagen Style' raised table to give pedestrians priority over vehicles exiting the hospital grounds (see Figure 2 below). The access improvement would be secured by way of a Section 278 agreement.

10. Possible Breach of London plan policy H13 B4 – Mobility Scooters

The London Plan states that suitable levels of safe storage and charging facilities for residents' mobility scooters must be provided. Given that the accommodation will cater for about 350 new residents, the provision for parking of 37 mobility scooters seems inadequate, given the nature of the accommodation. It also appears unacceptable that such parking should be in the basement when it is being provided for people with mobility problems.

11. Possible Breach of London Plan policy H13 4.13.6 – Care contracts

The London Plan clearly states that there must be separate contracts in place for personal care and accommodation elements of residential units OR residents must have a choice as to who provides their personal care. In this planning application, a minimum level of care is mandatory and there is no choice as to who provides the care. The officers' comment in point 60 of their report that the requirement for choice "could be secured by way of legal agreement" is simply not strong enough and this policy requirement is therefore Possible Breached.

12. Possible Breach of London Plan Policy – T5B - disability

The report does not address how the development will cater for larger cycles, including adapted cycles for older people. This is particularly important given that residents will be older and many will be in need of some level of care and suffering disability of some kind. Cycling provision is also planned at basement level which Possible Breaches the requirement for "ease of access" laid out in 10.5.5.

13. Possible Breach of London Plan Policy T5 Table 10.2 and Policy T5 E – cycle provision

The proposal appears to breach required cycle parking provision which is of **material** concern. Point 168 states that only ***104 long stay cycle parking spaces*** will be provided against a requirement for ***250 spaces***. This also leads to a Possible Breach of **Policy T5 E** as no alternative solutions for long term cycle parking have been provided. Point 170 of the officers' report undermines the importance placed explicitly by London Plan policy on catering for disabled people to be able to park larger bikes and is thus materially misleading to decision makers on this application:

170. The proposed long-stay cycle parking would fall significantly below the London Plan (2021) requirements for Class C3 residential accommodation. However, it is noted that the proposed development is for specialist older persons housing where cycle ownership and use could be lower than is anticipated for typical Class C3 residential accommodation. The proposal would not be in strict compliance with the London Plan (2021) cycle parking standards which would be a disbenefit of the scheme. The weight that can be attributed to this shortfall in cycle parking shall be considered further in the 'Planning Balance/Conclusion' section below.

14. Possible Breach of policy T4 – Assessing and Mitigating Transport Impacts

i. ***Policy T4 states in Policy A that*** development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity.

Point 10.4.4 goes on to state that new development that will give rise to significant numbers of new trips should be located in places well-connected by public transport, with capacity adequate to support the additional demand, or where there is a realistic prospect of additional access or capacity being provided in time to meet the new demand.

Compliance with this policy appears not to have taken place as no detailed assessment appears to have taken place of train and bus capacity in the area for the increase in people travelling from the *cumulative development* coming forward across the area or of the impact of the planned reduction in peak hour services through Kingston and Norbiton.

ii. **Policy T4 B** requires that transport assessments are submitted with development proposals so as to "*ensure that impacts on the capacity of the transport network…are fully assessed*". No comprehensive, recent, updated or detailed assessment has taken place to substantiate a conclusion that there is ample capacity on public transport to cater for passenger movements from this development. This policy therefore appears to have been Possible Breached.

The Possible Breach of the need to have carried out an updated assessment is highlighted in **sub-point 10.4.1** which states:

"10.4.1 It is important that the impacts and opportunities which arise as a result of development proposals are identified and assessed so that appropriate mitigations and opportunities are secured ***through the planning process****. Transport assessments are therefore necessary to ensure that planning applications can be* ***reviewed*** *and* ***assessed*** *for their specific impacts and for their compatibility with the Healthy Streets Approach."*

No adverse transport impacts from the cumulative development taking place around Kingston and Norbiton stations, which only have 4 trains an hour in to London and fewer to other destinations, have been identified. Were adverse effects identified, this would require the developer to provide mitigation for this scheme as outline in **policy T4 C** such as are required under policy T4 D, which requires that planning permission "*will be contingent on the provision of necessary public transport and active travel infrastructure*".

The London Plan in **point 10.4.2** also expects development proposals to take in to account *personal travel*, which this planning application. This is highly relevant in the context where – in proposals for the development of 2100 homes on the Cambridge Road Estate – developers assume that people will be working from home and will be likely to be making more personal travel journeys, for example to visit Richmond Park.

In the case of this specific planning application, given the age of residents, it is very likely that many if not all residents will be making regular trips to Richmond Park

10.4.2 *Transport assessments should include an assessment of demand arising from personal travel as well as from potential servicing and deliveries, taking into account the impacts both on all modes of transport including walking and cycling, and on streets as social spaces.*

The planning application has also not taken in to account travel movements as a result of people using UBERs and other taxis in an environment where car ownership is deterred.

15. <u>Possible Breach of NPPF Policy 11d and 182 d</u>

The possible impact of this planning application on the habitats site of Richmond Park SAC is not presented or assessed, The policy implications relating to tilted balance in paragraphs 71 and 72 of the officers' report do not present the necessary detail or requirements arising from NPPF Policy 11d for committee to make an informed decision on this application.

Tilted balance is not engaged if development will cause "harm" to a habitats site. There is no evidence that this development, alongside other new developments coming forwards, will NOT do so, and no Appropriate Assessment has taken place that shows no harm. This proposal is in Possible Breach and should be refused.

NPPF 2021

For **decision-taking** this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date[8], granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed[7]; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

[6] As established through statements of common ground (see paragraph 27).
[7] The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

There is a possible Possible Breach of The NPPF 182 which states that "*the presumption in favour of sustainable development does not apply where a project is likely to have a significant effect on a habitats site (**either alone or in combination with other projects**) **unless an appropriate assessment has concluded that it will not affect the integrity of the habitat site***"

No appropriate assessment has taken place to show that the developments that have been approved in Kingston and surrounding areas will NOT have an effect on the integrity of Richmond Park and Wimbledon Common as habitat sites

The harm that is deemed to occur to woodland habitats from recreational pressure arising from developments much further away from a protected habitat than this development is from Richmond Park SAC is evidenced in the requirement for suitable alternative natural green space to be provided for developments around Burnham Beeches and Epping Forest.

16. <u>Preliminary Environmental Assessment is inadequate and out of date</u>

Source: Thomson.ec.com

What is a Preliminary Ecological Appraisal?

A Preliminary Ecological Appraisal is normally, as the name suggests, the first stage in any site assessment. PEAs are usually required during the planning process to enable a development to be approved. A PEA has two main elements: an ecological desk study and an a UK Habitat Classification Survey, which is extended to include an assessment for the habitat to support protected species.

The purpose of a PEA is to identify any ecological constraints to your development proposal. We will advise on what may additionally be required in order to complete the ecological assessment, for instance, protected species surveys. A PEA allows us to make recommendations where necessary for you to maintain compliance.

Using the UK Habitat Classification (UKHab) or extended Phase 1 habitat survey technique (JNCC, 2010; IEA, 1995), we map the habitats present on the site and, if required, the surrounding area. For each habitat area, we record the plant species present and their abundance. We also assess the potential of the site for protected and priority species and record any evidence of these that we find during the survey, such as badger setts.

As part of the PEA, we are able to advise on any initial ecological issues that we identify, for example, in relation to designated sites and priority habitats. We also advise on what is likely to be required in order to complete the ecological assessment, such as, surveys for protected species. Initial guidance on measures that could be incorporated into the development design to avoid and mitigate ecological impacts can also be provided at this stage. The PEA can, therefore, be an extremely useful tool for development master planning and can also form the basis of an Ecological Impact Assessment (EcIA) later in the project.

The now out of date PEA did not explore or address the possible presence of stag beetle ON SITE and in adjacent gardens/ on adjacent land or map habitats in the surrounding area and assess the individual effect of this development and cumulative effect alongside other developments on the

stag beetle, local habitats and on Richmond Park SAC. The stag beetle is protected under the Wildlife and Countryside Act 1981 and is also a priority species under the UK list of BAP Priority Terrestrial Invertebrate Species 2007 and is afforded further protection under the National Planning Policy Framework Policy 179 (b). Specific conditions required to ensure its protection therefore need to be specified as part of any planning approval. The statement in point 195 of the officers' report about "a number of other species" being protected by legislation is insufficient information for decision makes to make an informed decision on this application and represents a failure to set out and consider all relevant legislative requirements relating to the stag beetle.

No "review" of the "conclusions and recommendations made" in the original PEA has taken place and the PEA itself is therefore Possible Breached.

Please see **APPENDIX ONE** which lays out the pathways of harm to stag beetles and their habitat from development and recreational pressure.

Fragmentation of habitat and threats arising from recreational pressure on ancient woodland and stag beetle and their larvae have all been ignored.

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184. A Preliminary Ecological Appraisal (PEA) dated October 2019, prepared by Middlemarch Environmental, has been submitted in support of the planning application. It is stated that the findings of the PEA are valid for a period of 24 months from the date of the survey and that if works have not commenced by this date, an updated site visit should be carried out by a suitably qualified ecologist to assess any changes in the habitats present on site, and to inform a review of the conclusions and recommendations made. The walk-over survey was undertaken on 29 April 2019.

185. At the time that the PEA survey was undertaken, there was no evidence of protected species on the site such as Badgers. The submitted PEA makes a number of recommendations for biodiversity enhancements and mitigation measures to ensure that there would be minimal harm to protected species.

186. It is recommended that Natural England are consulted prior to the commencement of any works to discuss the likelihood of the development having any impact on the Richmond Park Special Area of Conservation (SAC). Natural England is a statutory consultee due to the scale of the proposed development and proximity of the development to Richmond Park SAC. Natural England's comments shall be reported to the Planning Committee as late material.

17. <u>Possible Breach of 191. 'Circular 06/2005: Biodiversity and Geological Conservation- Statutory Obligations and Their Impact within the Planning System'</u>

This states that the presence of protected species is a ***material consideration when a development proposal is being considered*** which would be likely to result in harm to the species or its habitat. It goes on to say that it "...***is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted***, otherwise all relevant material considerations may not have been addressed in making the decision" (paragraph 99).

This policy was Possible Breached. Paragraph 184 of the report states that the walk over survey for the PEA happened in April 2019. It mentions only that the presence of badgers and bats was sought. Mature stag beetles would not be active an April and no efforts were made to seek stag beetle larvae on site.

The Chartered Institute for Ecology and Environmental Management state[1]:

"Planning authorities have for many years been advised in government guidance that they should only condition further ecological surveys in exceptional circumstances. In other words, all necessary survey information should be submitted with the planning application so that it can be taken into account prior to the granting of planning permission."

The reasons given in paragraph 192 of the officers' report for when the use of planning conditions to secure ecological surveys after planning permission has been granted are ***not relevant*** and therefore can ***hold no weight*** because:

a. Original survey work never included the stag beetle and its larvae
b. Adequate information is not already available because no survey for stag beetles has taken place, and
c. It is not possible to confirm the continued absence of the stag beetle and its larvae on the site as the presence or absence of such things was never established.

The limitation of the survey to badgers and bats is confirmed by the officers' own statement in point 193. "*In this case, the submitted surveys indicate that there were no protected species* ***setts/roosts*** *on the site at the time that the surveys were carried out.*"

18. RBK ecology comment reflects ignorance of policy requirements and are immaterial comments

A fully compliant PEA should have been carried out early on in the planning process. There is no fully compliant PEA and the incomplete PEA that exists is no longer valid. Given the lack of attention to a protected species and protected habitats including veteran and ancient trees, the lack of objection must not be accepted and the recommendation to approve this planning application must be refused. Point 194 is so generic as to be meaningless and the statement in Paragraph 194 that "suitably worded conditions COULD secure updated surveys to be carried out" is completely ridiculous and unenforceable.

[1] https://cieem.net/wp-content/uploads/2019/02/Guidelines-for-Preliminary-Ecological-Appraisal-Jan2018-1.pdf

6. Subject to a condition recommended by the Greater London Archaeology Advisory Service, the proposal would not have an adverse impact on the Hampton Court water supply pipeline, which runs through the site. The Biodiversity Officer raises no objection to the proposals subject to the bat and ecological surveys being repeated prior to the commencement of development and other planning conditions requiring biodiversity enhancements.

25. RBK Ecology Officer: No objection, subject to conditions relating to

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biodiversity enhancement, ecological surveys being updated prior to the commencement of development, and ecology safeguarding measures.

194. However, it is considered necessary for the original surveys to be repeated to confirm the continued absence of protected species on the site. In accordance with the guidance referenced above, it is considered that suitably worded planning conditions could secure updated surveys to be carried out and submitted to the Local Planning Authority prior to the commencement of development. The Biodiversity Officer raises no objection to the proposed

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development subject to updated surveys being carried out prior to the commencement of development and for biodiversity enhancements and bat friendly lighting to be secured by planning conditions also.

19. **Possible Breach of The NPPF 180 (b)** which states that development on land outside an SSSI that will have a significant adverse effect should not normally be permitted

The evidence for this possible Possible Breach is the that the planning officers have not proven that the proposed development will not have a "significant adverse effect" on the SSSIs within Richmond Park. Excerpt below[2]:

SSSIs are designated by Natural England under the Wildlife and Countryside Act 1981, as amended and strengthened by the Countryside and Rights of Way Act 2000. Section 28G of the Wildlife and Countryside Act (1981) states that: "*Public bodies have a duty in exercising their functions to take reasonable steps to further the conservation and enhancement of SSSIs*". There is an obligation to give notice to Natural England of any operation likely to damage the SSSI. The operation can then only be carried out with the consent of Natural England (Section 28E).

The Park was notified as a Site of Special Scientific Interest (SSSI) in 1992, excluding the area of the golf course, Pembroke Lodge Gardens and the Gate Gardens. It is the largest SSSI in London. The SSSI designation also recognises that the Park supports the most important area of lowland acid grassland in the Greater London region, which along with the ancient trees of the Park supports a wide range of invertebrates. Lowland acid grassland is a priority habitat in the Government's UK Biodiversity Action Plan.

Trodden anthills in the acid grasslands of Richmond Park, taken on 21/11/21

[2] https://www.frp.org.uk/wp-content/uploads/2019/01/RICHMOND-PARK-DESIGNATIONS-NNR-SSSI-SAC-and-Listed-Buildings.pdf

20. **Possible Breach of The NPPF 180** which states that development that results in the loss or *deterioration of irreplaceable habitats* (such as ancient woodland and ancient or veteran trees) should be refused

The evidence for the possible Possible Breach of this policy are the lack of any assessment of the possibility that visitors from this development will add to the deterioration of the irreplaceable woodland habitat in Richmond Park

Arrow and graffiti sprayed on ancient trees in Richmond Park

Figure 1: 13 December 2020 Figure 2 and Figure 3: 21 November 2021 and Man in Tree Winter 2020




21. **<u>No consultation with Natural England as statutory consultee and failure to represent this failure in a transparent way to decision makers</u>**

The officers' report states on paragraph 186 that "it is recommended that Natural England are consulted prior to the commencement of any works to discuss the likelihood of the development having any impact on the Richmond Park Special Area of Conservation".

While officers recognise that Natural England is a statutory consultee, they do not draw members' attention to the fact that – as such – Natural England should already have been consulted on this proposal which is on the doorstep of Richmond Park SAC

22. **<u>Possible Breach of NPPF Policy 199 – no weight to Richmond Park as heritage asset</u>**

Richmond Park SAC is a Grade I listed heritage asset.

NPPF Policy 199 states that "*great weight"* should be given the conservation of any "*designated heritage asset*" "*irrespective of whether any potential harm amounts to substantial harm*"

Officers have given no weight to the impact that this development may have on Richmond Park as they have not presented any assessment of the effects of development coming forward across Kingston and elsewhere on the park. Much of the park's grading by Historic England relates to the features of the parkland that is affected by threats arising from human influence and recreational pressure. See **APPENDIX TWO**. The listing also includes the listing of the park as an SSSI. The recommendation must therefore be refused.

23. **<u>Planning Balance issues relating to weight appear misrepresented</u>**

i. Point 224 regarding the "***material weight***" attributed to delivering 128 units of specialist older persons' dwellings appears not to be justified as officers have ignored Policies 11d and 182d of the NPPF 2021 in assigning this weight

ii. Point 225 states that the officers attribute "***moderate weight***" to the provision of under £1 million in off-site payment for "affordable" housing. This is laughable. That amount of money may just about fund 2 units of affordable housing in the area. This should weigh heavily against approval of the planning application

iii. Point 226 states that the planning application is ***neutral*** in terms of its effect on neighbouring properties. This appears not to be justified by the evidence, particularly by the greater height and overbearing nature of the proposed development and the fact that it will directly overlook properties on Wolverton Avenue

iv. Point 227 assigns "***moderate weight"*** to the loss of the Regent's Wing of Kingston Hospital. This appears to seriously undervalue the historical significance of this building as well as the environmental damage that would be caused by the demolition of the building . The weight assigned should be "***material weight***".

v. In point 228, despite the fact that the development does not provide anything near the level of cycling storage required by policy in the London Plan, officers only give this Possible Breach "***moderate***" weight. This possible breach appears to warrant the grading of "***material weight***" for decision-makers.

vi. Officers state in Point 229, that they give "***moderate weight***" to the assertion that the application will provide a "good standard of accommodation". However, this assumption is undermined by the fact that all matters relating to the fire safety aspects of the development have not yet been agreed. Fire safety issues are core to the assessment of the standard of accommodation. After all, who would consider their accommodation to be of a good standard if they knew that they might be at risk of death in the event of a fire?

vii. The conclusion in point 231 that the disbenefits of the scheme would not significantly and demonstrably outweigh its benefits is not justified or evidence-based, and refers only to loss of an undesignated heritage asset and shortage of cycling spaces, ignoring all other issues

24. Conditions of planning approval amount to an immaterial consideration and an error of law

The recommended conditions for planning approval are so vague as to be meaningless, are unenforceable and amount to regard to an immaterial consideration and an error of law. The conditions in many cases leave it to the discretion of the local planning authority at the time as to what will be allowed.

1. Approval allows demolition without many conditions having been met for the replacement development eg requirement for boilers that meet N02 requirements and conditions for wheelchairs and accessibility
2. The materials with which the development will be built are not specified in any way
3. No dust and emissions statement has been required as part of any planning approval
4. Non NRMM machinery will be allowed on site with the permission of Kingston Council. This would have a significant impact on emissions on and around the site that has not been evaluated
5. The condition to carry out a Preliminary Ecological Assessment is so vague as to be meaningless
6. The condition relating to Urban Greening is so vague that it gives no assurance that London Plan policy requirements in G5 will be met

7. No details of a landscaping scheme are being required. Loss of 19 trees on site cannot be justified by such a vague condition
8. Conditions relating to roof top terraces and planting are so vague as to be meaningless
9. Conditions relating to balconies and other architectural features are so vague as to be meaningless
10. No specific security measures are required. The proposal cannot be approved without such measures agreed prior to approval
11. Condition 30 does not meet the requirements of London Plan policies for Fire Safety. For example, it does not include provision of sufficient unencumbered outdoor space as an assembly point
12. Conditions required relating to identified possible breaches above have by default not been identified

195. In addition to the above referenced planning conditions, it is important to note that bats, badgers and a number of other species are protected under Schedule 5 of The Wildlife and Countryside Act 1981 (as amended), The Protection of Badgers Act (1992), and The Conservation of Habitats and Species Regulations (2017). Additional legal safeguards are set out in the wildlife legislation, such as the requirement for a European Protected Species (EPS) Mitigation licence, for any works which would have an impact on bats. Subject to planning conditions securing updated ecological surveys and biodiversity enhancements it is considered that the proposal would be acceptable.

59. With reference to the attributes set out in paragraph 4.13.6 of Policy H13, there would be no requirement for prospective residents to have care needs. With specific regards to 4.13.6(i), it is not explicitly stated that there would be separate contracts/agreements in place for the personal care and

accommodation elements, or that residents would have a choice as to who provides their personal care. The proposed development would have some of the attributes of care home accommodation, as set out in paragraph 4.13.4.

60. However, Officers consider that a requirement that residents would have a choice as to who provides their personal care could be secured by way of legal agreement, which would address paragraph 4.13.6(i).

190. As the planning application was made valid on 8 October 2019, the submitted ecological surveys will need to be updated prior to the commencement of development due to the time that has lapsed and no further submissions have been received from a suitably qualified ecologist that the results of the 2019

surveys remain valid.

Appendix One: Expert Opinion and Issues of concern for the Stag Beetle and its habitat

1. Michael Ulyshen	
"Saproxylic Beetles as indicator species for dead wood amount and temperature in beech wood forests – Lachat et al 2012"	- Best indicator of habitat quality - A large amount of dead wood is compulsory for the conservation of the species - The diversity of the dead wood in terms of size and quality is equally important as its volume (Brin et al 2009; Ranus and Johnson 2007; Siitonen 2011) - "Regarding quality, different diameters, decay stages, tree species, sun exposures and the presence of polypores are necessary for a high diversity of saproxylic beetles"
"Insights into the ecology, genetics and distribution of Lucanus Elaphus, M Ulyshen et al 2017"	- *Attracted to electric lights* - Species found in wide range of log sizes in association with wide range of rot types, white rot, brown rot and very high moisture content
"Chapter 4: Diversity and Ecology of Stag Beetles, Ta-I-Huang"	- Feed on cellulosic material highly colonised by fungi and other microoganisms - Lucanids inhabit and feed on wood decayed by wood-rotting fungi, Araya 1993; St Germain 2007, Abe 2000 - Kuranouchi et al 2006 – presence of Nitrogen-fixing microbes associated with stag beetle; Tanahashi – importance of direct nutrient acquisition; destruction of suitable habitats by human activities – main threat
"Introduction to the Diversity, Ecology and Conservation of Saproxylic Insects – M Ulyshen"	- Importance of fungi and wood variety; - Cellulase digestion must be aided by symbiotic microorganisms; - Microbes degrade lignocellulose; - a large proportion of the nitrogen requirements of many wood-feeding insects comes from nitrogen-fixing prokaryotic endosymbionts within their guts (Ulyshen 2015); - Fungi are thought to be the main source of nutrition for certain "wood-feeding" passalid (Mishima et al. 2016) and lucanid (Tanahashi et al. - 2009) beetles, for example.

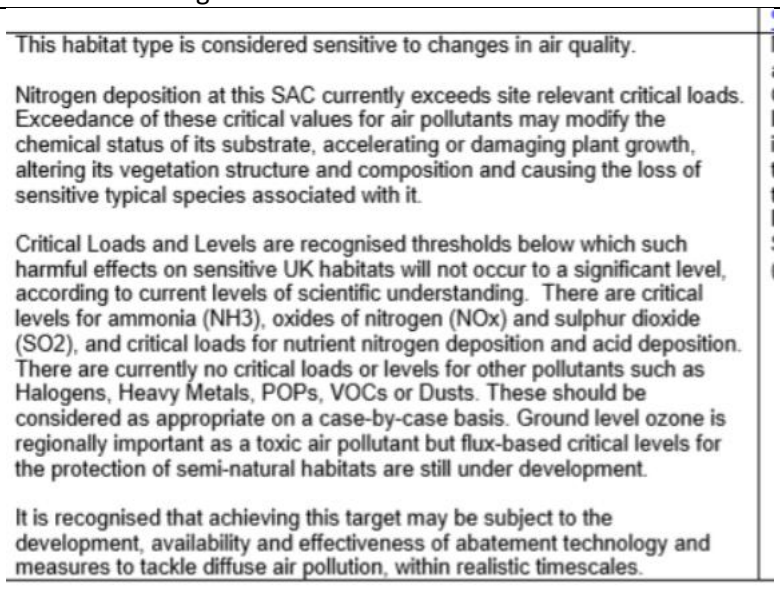
2. Arno Thomaes Comment: Increased number of people trampling stag beetles might have an effect on the population, at least it is a lethal effect that should be taken into account for the Habitats directive. Building upon a stag beetle site is very detrimental for the population and needs to be taken into account. Habitats directive prescribes that the one making plans that could effect the species or habitats must prove the effect of the plan is not significant, not the other way around. Need a plan to study and compensate for loss of habitat (Colin Hawes) “Ebert 2011 Translocatie” “Umsetzung von mit Hirschkäfer-Larven besetzten Baumwurzeln” Ebert and Muller	Email correspondence Translocating stag beetle sites in Germany.

3. Maria Fremlin Statement: "Richmond did have a significant number of records. Further unpublished analysis of the data revealed the following for 2005: 1. *Gardens occupied 23% of the land in London* 2. Stag beetle records correlated best with the total area of domestic buildings *PLUS gardens*, 0.65. 3. After that the best correlation was with the total garden area, 0.61." "It obvious that by paving gardens and building more houses is very unfavourable to stag beetles." *http://maria.fremlin.de/stagbeetles/london_veluwe.html*	Email correspondence
"Stag beetle (Lucanus cervus, (L., 1758), Lucanidae) urban behaviour, 2009	Evidence that stag beetles can survive in a heavily-used woodchip footpath
"London 2005 Stag Beetle Hunt, Report for Greater Stag Beetle (Lucanidae) Michelle Margot" London Wildlife Trust	"Up until June 21, the main cause of death was by predators; after, was caused mainly by human activities" "the females suffered most casualties caused by human activities as they walk much more than the males (Hawes 2004a)" Richmond Park: "Most sightings, 293 and 235 respectively, were of dead beetles, mostly predated by Corvidae, which are very abundant in the park." "However the importance of large and relatively old, suburban gardens (pre-1914) as a significant habitat for stag beetles had already been highlighted during the 1997 south London survey (Frith 1999)." **"Their obvious main threat is loss of habitat due to urban development, closely followed by habitat disturbance, and this is a very complex situation that deserves to be studied further."** "1/5th of the total area of London is made up of private gardens and therefore the survival of this species probably depends on people providing suitable dead wood habitat (in the form of log piles, tree stumps, or replenished woodchip mounds) in their front and backyards." "As

	expected, the majority of stag beetle sightings were from private gardens" "Stag beetles are commonly spotted on roads and pavements. They are thought to be attracted to the warm surfaces of tarmac and were sighted on high streets and in supermarket car parks. *Here they are vulnerable to being run over or trodden on*."

Other sources of information	
JNCC Report by UK under Article 17 92/43 EEC June 13 -18: STAG BEETLE	**Long Term trend for stag beetle – Uncertain; High Pressure and Threat from construction or modification in urban areas and removal of dead or dying wood. Mentions small dispersal range and risk from fragmentation of habitat**
Epping Forest District Council website about air pollution threat to Epping Forest and lack of agreed mitigation strategy (as of 7 August 2020)	April 2020 "The Council, Natural England and the Conservators have committed to continue to work together to identify a satisfactory solution and have been meeting on a regular basis over the past few months. As these matters involve highly technical and scientific considerations, compiling the evidence required to address the concerns raised by Natural England and the Conservators, and as set out in the Inspector's advice, has taken many months. This evidence now needs to be remodelled and reassessed in order to further update the HRA and develop an Air Quality Mitigation Strategy. This further work is progressing well and it is anticipated that the Council will be in a position to publish a **draft Mitigation Strategy for the Council's Cabinet to consider in July 2020**. **Currently there is no agreed approach as to how the effect of air pollution needs to be mitigated where development proposals anywhere in the District would result in an increase in Average Annual Daily Traffic (AADT) on roads within 200m of the EFSAC**. However, the Council and other partner organisations continue to work together to devise an air quality mitigation strategy ("AQMS") that is acceptable to NE, taking account of the Local Plan Inspector's advice. In the absence of an approved AQMS, where individual development proposals have been supported by evidence which clearly demonstrates that there would be no net increase in AADT Natural England has confirmed that the Council is in a position to grant planning permission (subject to the acceptability of all other relevant planning considerations). The Council has now determined a small number of planning applications in line with this advice.
Richmond Park SAC – COSA 31 May 2016	Supporting habitat – decaying wood: This target may also be applicable to off-site habitat which may provide important larval habitat to support the SAC population" "local gardens, parks and trees are important to help maintain the stag beetle population if dead timber is present and may help to connect the SAC population with bigger colonies"
Burnham Beeches Recreation Report, Effect of urbanisation and human activity on ancient woodland	Effects of trampling, litter, pollution, damage and destruction by fire, removal of dead wood, tree climbing, soil compaction and other human activity on ancient woodland
Richmond Park SAC draft Conservation Objectives 2008	Draws attention to the **time lag** between a plan being agreed and a consequent adverse effect on the integrity of a site. A site may be in favourable condition but a plan could still be deemed to have an adverse effect on that site's integrity
	Requirement that woodland pasture should not suffer "any reduction in an area and consequent fragmentation"
	Requirement to monitor the woodland pasture in Richmond Park once every 6 year monitoring cycle
	Site specific targets: Deadwood no more than 5% decline Number of veteran trees

	Quality of fallen dead wood more than 20cmdbh No of trees with attached dead wood over 20 cm dbh
Richmond Park HRA 2014 Point 4.27	"The SAC is known to be a popular destination for recreational activities and the qualifying stag beetle could be affected by trampling" The HRA considers the number of new residents in the plan rather than the number of visits such residents will make
Arno Thomaes – 2018 Dispersal of Stag Beetle	Male mean distance 250m and 144 m Female daily distance travelled less than 1 m to 241 m Important for effect of fragmentation of habitat
Richmond Park HRA of Local Plan 2016 pt 3.28 Pt 3.36 Pt 3.42 Pt 3.44	**Assumes a 2km travel distance for the stag beetle** Stag beetles are attracted to artificial light Wimbledon Common heathland is particularly vulnerable to increases in air pollution. Acknowledges sensitivity to air pollution of stag beetle's habitat No traffic forecast data for Richmond 8.9% of Wimbledon Commono within 200m of A3 which exceeds limits for No2. A308 and A3050 "could fail in future"
Maria Fremlin: Urban Survival	Larval habitat of stag beetle is vulnerable to disturbance. Relocation not good. Thrive in urban gardens
Arno Thomaes – Dispersal of the Stag Beetle	"larval habitat should be available in sufficient amount and with high temporal and spatial continuity" "We advise providing stepping stones with suitable habitat every 100 m and never more than 1 km away in order to maintain or expand a self-sustaining meta population." Need for broad-leaved habitat with sun exposure
Bionomics and distribution of the stag beetle by Colin Hawes	60 different hosts in UK. Beetles found in railway sleepers, bark chippings, fence posts, wood chippings. Unclear whether "such small wood sources are able to provide a long term habitat, where there are similar posts in an area, or at least corridors for dispersal or whether such populations will inevitably die out" Predation: magpie, fox, shrew, kestrel, badger "largest perceived threat …is believed…to be man…the loss of habitat in urban areas and management techniques being the main factor in the decline in numbers" "It might be possible that a restricted habitat in the UK has contributed to the evolution of the increased larval instar number" On habitat and numbers: "This cannot be stated unequivocally here since it is possible that surveys may do more to survey monitor presence than actual habitat and there will be more urban records in countries such as the UK where survey effort is high" "Aggregated distributions of insects are extremely common in nature (Holt 2005) and area again a likely reflection of habitat availability. However, for lucanus cervus, such distributions may be important for the survival of the species. Dispersal distances are limited and may be as low as a few 100 metres. This if distances between hotspots exceed dispersal distances, the

	insect may not exist in a meta population context, meaning the risk of local extinction is high (Kunin and Gaston 1993). KEY POINT: Conservation plans must take in to account distances between populations and the dispersal ability of the stag beetle Human activity a cause of mortality – road traffic, habitat destruction Importance of the urban garden
Can we successfully monitor a population density decline of the elusive invertebrate? A statistical power analysis 2018 Thomaes	Need for at least 240 1 hour monitoring transect walks on 40 to 100 transects
Colin Hawes: Mark release recapture study 2000	Need for continuity of dead wood at know stag beetle locations and **log piles** built far away from stag beetle populations , especially those that are isolated, **seem less likely to be colonised and might well be a waste of conservation effort**
Woodland Trust – Impacts of nearby development on ancient woodland 2012	Effect of recreation – small scale fragmentation; Edge effect
Hendriks and Mendez: Larval ecology of the stag beetle 2018	"Harder wood decreased the amount of wood processed and pellets produced. In addition, fungal mycelia were more accessible in other deeding substrates. This is important because mycelia contain protein that increases larval growth" Tan 2005
Wimbedon Common SSSI assessment of air pollution	 This habitat type is considered sensitive to changes in air quality. Nitrogen deposition at this SAC currently exceeds site relevant critical loads. Exceedance of these critical values for air pollutants may modify the chemical status of its substrate, accelerating or damaging plant growth, altering its vegetation structure and composition and causing the loss of sensitive typical species associated with it. Critical Loads and Levels are recognised thresholds below which such harmful effects on sensitive UK habitats will not occur to a significant level, according to current levels of scientific understanding. There are critical levels for ammonia (NH3), oxides of nitrogen (NOx) and sulphur dioxide (SO2), and critical loads for nutrient nitrogen deposition and acid deposition. There are currently no critical loads or levels for other pollutants such as Halogens, Heavy Metals, POPs, VOCs or Dusts. These should be considered as appropriate on a case-by-case basis. Ground level ozone is regionally important as a toxic air pollutant but flux-based critical levels for the protection of semi-natural habitats are still under development. It is recognised that achieving this target may be subject to the development, availability and effectiveness of abatement technology and measures to tackle diffuse air pollution, within realistic timescales.
A literature review of the urban effects on lowland heaths and their wildlife 2005	Effects of trampling, cats, dogs, disturbance, noise
Wimbedon and Putney Commons Annual Conservation Report 2016/17	With regards to the management work that has been carried out on the heathland during the lifetime of the Commons' HLS agreement, the NVC study has summarised that while '*it was clear that heathland management has been going on*

	over a considerable timeframe, there is still a considerable amount of work needed *to maintain the open area of the heathland currently found on the Commons."* *"Unfortunately, as confirmed in the Commons' NVC study, overall, the majority of the Commons grasslands are species poor, and as such, most of the 13 grassland sites that were* *measured were found to be extremely high in nutrients."* "*Through evidence from NE's soil sampling and through the work completed for the Commons' NVC report, a common theme that has emerged from both pieces of work has been the high level of nutrients found on areas of the Commons' grassland and the effects that disturbance may be having on these sites."* *"With reference to The Plain, while the NVC survey recognised that 'visitors do appear to take note of the signage on The Plain and stay on paths throughout uncut grassland areas', for the Commons grassland sites in general,* ***high recreational usage, particularly dog walking has been cited as a factor that will add to the nutrient levels of grassland and therefore damage the integrity of these sites****. It should however be noted that dogs cannot be entirely blamed for nutrient inputs as* ***air pollution and the subsequent atmospheric nitrogen deposition were also cited in the NVC report as another potential factor that could cause further harm to many of the*** ***Commons' most sensitive areas****."*
Ecological report for Wimbledon Common 2018	Disturbance of skylarks; no lucanus cervus noted

Further expert opinion regarding the Stag Beetle **Colin Hawes BSc (Hons), Dip Env Ed, C. Biol, FRSB** 30 years studying stag beetle, author and co-author of number of papers; given many presentations in UK and across Europe One of only two respected research authorities on the stag beetle	
Source – Fieldwork and experiments published and not yet published. List of publications available	
1. "Stag beetles exist as metapopulations, small and scattered populations in a fragmented landscape"	"Mobility is crucial yet this species shows limited dispersal and may be incapable of reaching suitable but distant habitats. Although it may be difficult to identify strict distance thresholds, there is little doubt that isolation and the small size of many habitat "patches" (stumps etc) limit the survival ability of stag beetle populations. "Thus the species is vulnerable especially as the **larval habitat and sole food source** (subterranean, dead, decaying broadleaf wood) seems to be decreasing (eggs are not laid in coniferous wood; *white-rot decay wood* is essential whereas red-rot wood is never used) "Radio-telemetric experiments with tagged beetles have shown that stag beetles *do not disperse far from their natal site*" "Female stag beetles often move no further than their natal site" adults. Males have a greater propensity to be on the wing than females and usually fly at a height of 3 m or above (Mamonov, 1991; Hawes, 2005). Females spend most of their active time on the ground searching for suitable habitat in which to oviposit, and if they take flight, this is at 1–2 m above ground (Hawes, 2008). One encouraging feature of the road transect data is that **Source**: Non-invasive monitoring methods for larvae and adult stag beetle, Hawes, Gange et al 2011 Also: Flight capacity of the stag beetle 2011 (video)
2. "Adult stag beetles are threatened by vehicular and other human traffic which causes large numbers to be killed on roads, bridleways and footpaths"	
3. "Stag beetles (adults and larvae) are also taken in large numbers by predators"	"The primary predators of adults are birds (especially magpies and other corvids) and hedgehogs. Larvae are dug up and eaten by badgers.
4. "Constraints on stag beetle	• "Limited dispersal • Too low accumulated degree day (ADD) temperatures

distribution expansion"	• Soil type and depth • Underlying geology • Absence of subterranean decaying broadleaf wood"
5. "Stag beetle distribution correlates closely with regions that have the highest ADD temperature ie the south-east and south of the UK"	
6. Soils types	"Soils that stag beetles burrow down through to lay their eggs are mainly loams and improved soil of a good depth in gardens "Underlying geology determines the overlying soil type eg soils above chalk are usually very thin ie not deep enough to attract females that can lay their eggs up to 40cm below grounds"
7. Female characteristics	"Females search for subterranean decaying broadleaf wood when they emerge from underground at their natal site in mid-May. If they fiind unoccupied decaying wood nearby (they may have only crawled a short distance, between 2-20 metres before finding suitable egg-laying wood that is not already occupied by larvae) they will burrow immediately to lay their eggs. In the absence of unoccupied decaying wood, the females will travel further and occasionally fly to new sites" "Occupation and distribution are entirely due to females"
8. JNCC report on stag beetles	"has left out a large amount of research data"
9. Life cycle	97% of a stag beetle's life is spent underground, first as a larva (growth takes several years), then as a pupa (approx. six weeks) and finally as an adult (8 to 9) months. *Removal of their habitat at any time during their subterranean existence will destroy a stag beetle colony* On emerging above ground, if not predated, adults live a maximum of four weeks.
Mark-Release Capture Study Hawes 2008	(home range 0.17 ha), while males travelled further afield (home range 1.66 ha). The limited dispersal of *L. cervus* suggests that when considering conservation measures for the species, of prime importance is ensuring the continuity of suitable dead wood at known stag beetle locations. Dead wood in the form of logs or log piles (see: "Stag beetle friendly gardening", published by the People's Trust for Endangered Species) should be used continually to replenish decaying wood at such sites. Logs and log piles built too far away from stag beetle populations, especially those that are isolated, seem less likely to be colonized and might well be a waste of conservation effort. Observations and analysis of capture and recapture data seem to indicate that stag beetle dispersal is limited, especially in the case of female beetles and when there is a plentiful supply of suitable dead, decaying wood close to the site of their emergence. If the majority of female beetles present at other locations show a similar limited dispersal, then this behaviour needs to be taken into account when planning for the conservation of this species. It is suggested that such effort should be focused on using suitable dead wood, in the form of logs or log piles, to continually replenish decaying wood at known stag beetle emergence sites.

SUMMARY of Impact Pathways of this development on Richmond Park SAC

1. ***Habitat impact pathways for ancient woodland in Richmond Park SAC***

- litter and effect on habitat, includes beer from cans, spirits from discarded bottles, food waste (42 tonnes collected in Richmond Park in June 2020 alone: source Richmond Park authorities),
- dog fouling – nutrient enrichment from faeces and urination,
- fires,
- trampling,
- Visitor numbers causing effective widening of paths as existing paths do not cater for numbers of people on foot, bike and increasing numbers of pushchairs and other wheeled contraptions. See Richmond Park Management Strategy 2019 to 2029 for stresses on habitats caused by human activity
- removal of dead wood,
- destruction of ancient and veteran trees by climbing and removing limbs;
- trampling of root zone of ancient trees,
- Compaction of soil from footfall
- attract corvids who predate stag beetle
- Spread of disease from plant pathogens
- Spread of non-native species
- Pollution from run off that can affect trees and fragile ecosystem including fungi on which stag beetle rely to digest wood
- Loss of vegetation cover
- Harvesting of wood
- Public pressure for more facilities; paths surfaced, cafes, events, easier access
- Fragmentation: loss of supporting habitats as development occurs all around the Park, particularly in Roehampton and across Kingston
- Isolation: lack of connectivity with other woodland or semi-natural habitat
- Hydrology: Changes in water availability and flow linked to increased hard surfacing in surroundings
- Air quality Changes in air quality and increased pollution (e.g. from local traffic increases) and air pollution (identified as issue for Richmond Park ancient woodland by NE)

Appendix Two RICHMOND PARK - https://historicengland.org.uk/listing/the-list/list-entry/1000828

PARK From Richmond Gate, Sawyer's Hill runs c 3km east to Roehampton Gate passing, to the north, the C19 Conduit Wood and Holly Lodge (today, 1998, the Park Office and Environmental Centre). This building was shown on Eyre's map of 1754 as Cooper's Lodge, on Richardson's plan of 1771 as Lucass Lodge, and until the late C20 was known as Bog Lodge. Beyond Holly Lodge the road passes south of Two Storm Wood, planted to commemorate the trees lost in the storms of 1987 and 1990. After c 2km the road divides, the northern branch leading to East Sheen Gate with the C19 Sheen Wood to the west and C18 Adam's Pond (today used for sailing model boats) to the east. The road continues east, past the polo field to the south, to Roehampton Gate where it turns sharply to the south, crossing over Beverley Brook which runs along the boundary of the c 85ha Richmond Park Public Golf Course which lies to the east.

Continuing south the road passes paths which lead west to White Lodge, Victory Plantation (planted C20), and Spankers Hill Wood. Spankers Hill Wood was first planted in 1819 with oak, larch, spruce, sweet chestnut, and other trees, the western slopes being planted in 1824 and an extension to the north-east enclosed and planted in 1877. After 2km the road passes to the west of the Robin Hood Gate entrance. A spur road leads 0.75km north-west to a car park at the south-west corner of Spankers Hill Wood. The main route leads south-west where it climbs up through Broomfield Hill Wood passing, after c 0.75km, a car park to the east and the entrance to Isabella Plantation to the west. The 17ha Isabella Plantation was established in 1831 when Lord Sidmouth enclosed an area of oak, beech, and sweet chestnuts known as Isabella Slade. From 1950 the plantation was made into a woodland garden by J M Fisher (who also began the Waterhouse Plantation at Bushy Park (qv) in 1949). Divided from north to south by a stream which flows to Peg's Pond in the north, this garden was further developed by George Thompson between 1951 and 1953 when it was opened to the public. The Isabella Plantation is well known for displays of bluebells, camellias, azalias and rhododendrons. The road continues south-west to a network of paths west of Ladderstile Gate and then runs parallel to the south-east boundary to the Kingston Gate at the southern tip of the site. The Bog Garden was refurbished in 2000.

Some 200m north of the Kingston Gate the road divides again, the southern spur leading out of the park and the northern route turning north-north-west, passing c 200m west of Thatched House Lodge. Thatched House Lodge was begun in the mid C17 and enlarged c 1727, possibly by William Kent for Sir Robert Walpole, and remains a private residence. The thatched house which gives the lodge its present (1998) name is a summerhouse erected c 1727 in the 2ha grounds of the Lodge. After 1.25km the road divides, the western spur leading 0.5km to Ham Gate and Ham Gate Lodge (C19, listed grade II). To the north-east a horse ride and cycle path leads c 0.75km to the C19 Pond Plantation. Beyond the Plantation to the north-east are the c 12ha Pen Ponds. The two pieces of water, separated by a causeway, were created in the mid C18 from steams that run through the park and the ponds appear little altered from 1771 when they were identified on Richardson's map as 'Canals'.

The road continues c 1km north-west to Pembroke Lodge, passing White Ash Lodge (C18, listed grade II) c 300m to the east. Running almost parallel with the west side of the road is Hornbeam Walk. Developed in the mid C18, the walk leads c 1km north into the gardens of Pembroke Lodge, a white-painted, two-storey building with a Tuscan porch and pediment. Now (1998) used as a restaurant, the erstwhile C18 mole-catcher's house was altered and improved in 1788 by Sir John Soane for Elizabeth, Countess of Pembroke. Over the following forty years the Countess further enlarged the building. Surrounding Pembroke Lodge are c 5ha of semi-formal gardens laid out in the C20. A path leads north from the gardens to the highest spot in the park, known as the King Henry VIII's Mound. Possibly a Bronze Age barrow, it is recorded on C17 maps as The King's Standing and may well have been used by the King either to shoot deer or watch the hunt as it passed. To the west there are impressive views across Petersham Park, added to Richmond Park in 1834, to the Thames Valley; to the east is a protected view of London, the Post Office Tower, and on a clear day, St Paul's Cathedral. The path continues north in the direction of Richmond Gate, passing beneath a pergola (Laburnum Walk) and through a small pedestrian gate. To the east of Pembroke Lodge and the road to Richmond Gate lies the largest of the C19 plantations, Sidmouth Wood. Begun c 1823, the c 30ha plantation consists mainly of chestnuts, a smaller number of oaks, and a few beeches. The pathway which runs east/west through this plantation is known as the Driftway.

Appendix Three – parking requirements Regent's Wing development

Central Activities Zone Inner London Opportunity Areas Metropolitan and Major Town Centres All areas of PTAL 5 – 6 Inner London PTAL 4	All	Car free~
Inner London PTAL 3	All	Up to 0.25 spaces per dwelling
Inner London PTAL 2 Outer London Opportunity Areas	All	Up to 0.5 spaces per dwelling
Inner London PTAL 0 – 1	All	Up to 0.75 spaces per dwelling

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Location	Number of beds	Maximum parking provision*
Outer London PTAL 4	1 – 2	Up to 0.5 - 0.75 spaces per dwelling+
Outer London PTAL 4	3+	Up to 0.5 - 0.75 spaces per dwelling+
Outer London PTAL 2 – 3	1 – 2	Up to 0.75 spaces per dwelling
Outer London PTAL 2 – 3	3+	Up to 1 space per dwelling
Outer London PTAL 0 – 1	1 – 2	Up to 1.5 space per dwelling
Outer London PTAL 0 – 1	3+	Up to 1.5 spaces per dwelling^

* Where Development Plans specify lower local maximum standards for general or operational parking, these should be followed

~ With the exception of disabled persons parking, see Part G Policy T6 .1 Residential parking

+ When considering development proposals that are higher density or in more accessible locations, the lower standard shown here should be applied as a maximum