

DEVELOPMENT CONTROL PRE DECISION COMMITTEEWEDNESDAY 18 MAY 2016REPORT BYHEAD OF PLANNING & REGENERATIONPLANNING APPLICATIONSINDEX

ITEM NO	REGISTER NO	ADDRESS	DESCRIPTION	RECOMMENDATION	PAGE NO
A1	15/13063	Site At Eden Walk Shopping Centre, Eden Walk, Kingston Upon Thames, KT1 1RP	The demolition and redevelopment of Eden Walk Shopping Centre, including Millennium House and Neville House to provide a mixed use development consisting of retail units and kiosks (Use Classes A1-A5), leisure including a cinema (Use Class D2), media screens, offices (Use Class B1a) and residential (Use Class C3); plant (including CHP); public and residential car parking; formation of new access for residential basement car parking, refurbishment of the existing multi-storey car park including new access ramp, extension of basement; public realm works including pedestrian routes and public spaces, improvements to Memorial Gardens, and associated works. Listed Building Consent for the relocation of the War		A1

DEVELOPMENT CONTROL PRE DECISION COMMITTEE

WEDNESDAY 18 MAY 2016
REPORT BY
HEAD OF PLANNING & REGENERATION
PLANNING APPLICATIONS

INDEX

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			Memorial to a location in Memorial Gardens, and for works abutting the United Reformed Church.		

DEVELOPMENT CONTROL PRE-DECISION COMMITTEE

18TH MAY 2016

REPORT BY THE

Head of Planning & Regeneration

PLANNING APPLICATIONS

All recommendations for planning permission in this section are automatically subject to the condition limiting the duration of the permission required by Sections 91 and 92 of the Town and Country Planning Act (as amended) 1990 unless permission is to be granted for a limited period or unless there is a specific recommendation that the period for such duration be other than the period referred to in the standard condition. All background papers are incorporated into Planning Application Reports.

The policies listed are those from the Royal Borough of Kingston upon Thames the Local Development Framework Core Strategy, Adopted April 2012.

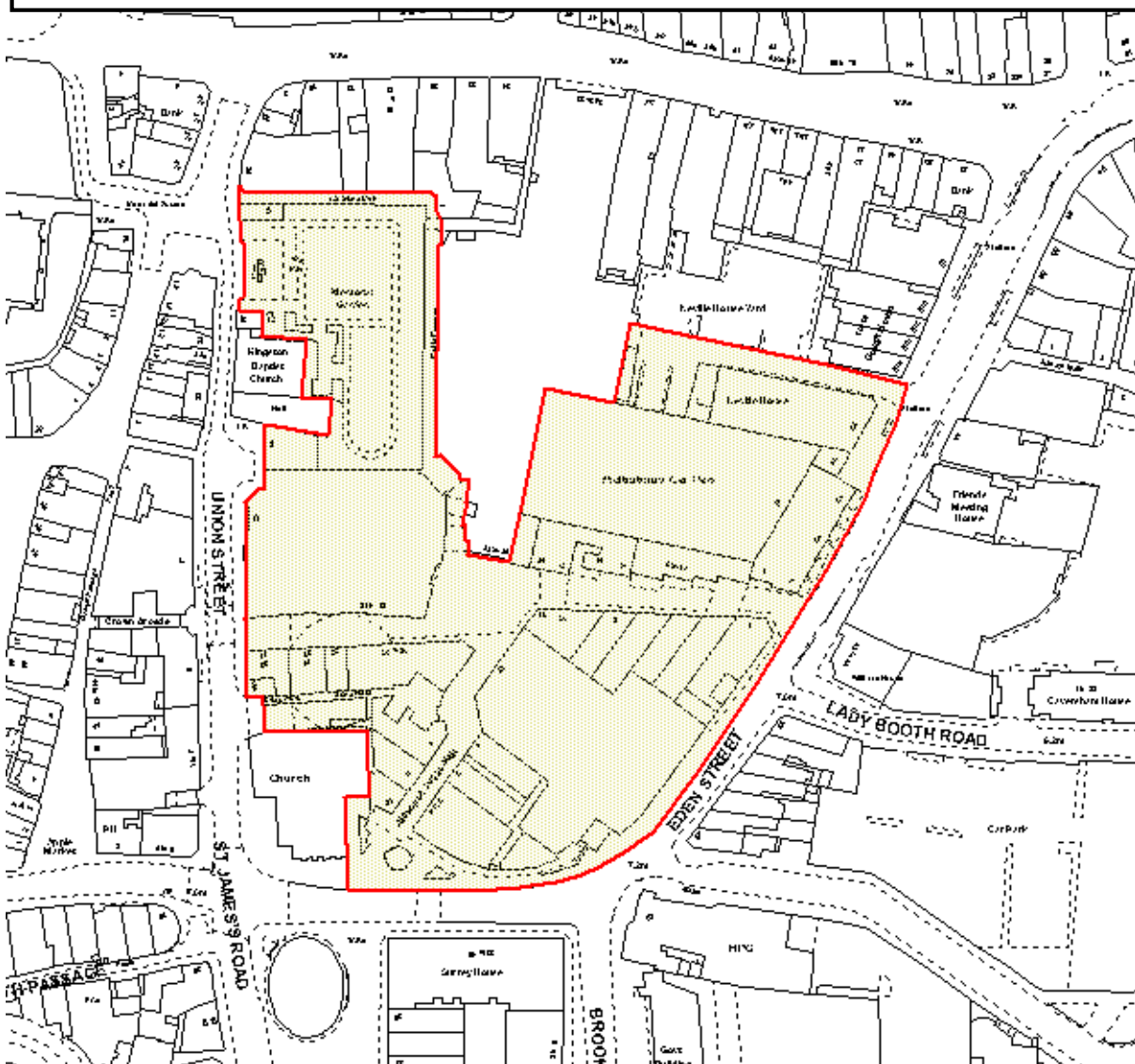
Development Control Committee

Date of Meeting: 18:05:2016

A1 Register No: 15/13063/FUL

Address: SITE AT EDEN WALK SHOPPING CENTRE, EDEN WALK, KINGSTON UPON THAMES, KT1 1RP

Recommendation: It is recommended that the Committee considers the application, seeks clarification where it is required and considers the issues raised by objectors prior to the formal determination of this application at a future meeting of the Committee.



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<u>Ward:</u>	Grove
<u>Description of Proposal:</u>	The demolition and redevelopment of Eden House and Neville House to provide a mixed use development consisting of retail units and kiosks (Use Classes A1-A5), leisure including a cinema (Use Class D2), media screens, offices (Use Class B1a) and residential (Use Class C3); plant (including CHP); public and residential car parking; formation of new access for residential basement car parking, refurbishment of the existing multi-storey car park including new access ramp, extension of basement; public realm works including pedestrian routes and public spaces, improvements to Memorial Gardens, and associated works. Listed Building Consent for the relocation of the War Memorial to a location in Memorial Gardens, and for works abutting the United Reformed Church.
<u>Plan Type:</u>	Full Application
<u>Expiry Date:</u>	29/01/2016

SUMMARY OF APPLICATION

The application site is located in Kingston Town Centre on the site of the current Eden Walk Shopping Centre and multi-storey car park. The application is for

- 380 homes
- 13,830sqm of Retail (A1-A2)
- 4,178sqm of Retail (A3-A5)
- 2,896sqm of Leisure (D2 Cinema)
- 3,223 Office (B1a)
- 408 public car parking spaces
- 171 residential car parking spaces

The key issues in the case are

- The redevelopment of a site within Kingston Town Centre
- The impact on the character and appearance of the area
- The impact on heritage assets and views
- The provision of affordable housing
- The cumulative impact of the development in the Town Centre

Following the Pre Development Control Committee of the 8th March 2016 the applicant submitted amendments to address some of the concerns raised at the Committee. The amendments included revisions to the design of the pop out balconies on Core B of the Eden Crescent Building and the use of lighter materials on Core B due to concerns that the darker colour material had a greater impact on the Old Post Office than a lighter one would. The application was deferred prior to the scheduled decision making committee to allow time to consider these amendments.

APPLICANT'S PLAN NOS:

00_SKC151 Podium Heights Study	Received	10/02/2016
03-16_Eden Walk Response Part 1	Received	29/03/2016
03-16_Eden Walk Response part 2	Received	29/03/2016
Arboricultural Impact Assessment	Received	30/10/2015
Area Schedules	Received	23/12/2015
Basement Construction Works Report	Received	30/10/2015
BDP/(02)MP/101 - Eden Walk Kingston	Received	30/10/2015
BDP/(90)LP/001A - Ground Floor Surface Finishes Plan	Received	30/10/2015
BDP/(90)LP/101 - Ground Floor Detail Plan 1 of 4	Received	30/10/2015
BDP/(90)LP/102 - Ground Floor Detail Plan 2 of 4	Received	30/10/2015
BDP/(90)LP/103 - Ground Floor Detail Plan 3 of 4	Received	30/10/2015
BDP/(90)LP/104 - Ground Floor Detail Plan 4 of 4	Received	30/10/2015
BDP/(90)LP/401A - Roof Terraces Block 4 Level 4 Gen Arrangement Plan	Received	30/10/2015
BDP/(90)LP/402A - Roof Terraces Block 4&5 Level 2 Gen Arrangement Plan	Received	30/10/2015
BDP/(90)LP/410A - Roof Terraces Block 4 Level 10 Gen Arrangement Plan	Received	30/10/2015
BDP/(90)LP/411A - Roof Terraces Block 4 Level 11 Gen Arrangement Plan	Received	30/10/2015

BDP/(90)LP/414A - Roof Terraces Block 4 Level 14 Gen Arrangement Plan	Received	30/10/2015
BDP/(90)LP/501A - Roof Terraces Block 5 Level 8 Gen Arrangement Plan	Received	30/10/2015
BDP/(90)SCH/L001 - Materials Schedule	Received	30/10/2015
BDP/(93)LP/001 - Ground Floor Levels Strategy	Received	30/10/2015
BDP/(93)LP/301A - Roof Terraces Block 3 Level 2 Gen Arrangement Plan	Received	30/10/2015
BDP/(94)LP/001B - Ground Floor Tree Retention / Removal Plan	Received	30/10/2015
BDP/(94)LP/002B-GroundFloor Tree Retention/Removal Plan Memorial Garden	Received	30/10/2015
BDP/(94)LP/100B - Ground Floor Tree Planting Plan	Received	30/10/2015
BDP/(94)LP/101A - Ground Floor Planting Plan	Received	30/10/2015
BDP/(94)LP/301A - Roof Terraces Block 3 Level 2 Planting Plan	Received	30/10/2015
BDP/(94)LP/401A - Roof Terraces Block 4 Level 4 Planting Plan	Received	30/10/2015
BDP/(94)LP/410A - Roof Terraces Block 4 Level 10 Planting Plan	Received	30/10/2015
BDP/(94)LP/411A - Roof Terraces Block 4 Level 11 Planting Plan	Received	30/10/2015
BDP/(94)LP/414A - Roof Terraces Block 4 Level 14 Planting Plan	Received	30/10/2015
BDP/(94)LP/501A - Roof Terraces Block 5 Level 8 Planting Plan	Received	30/10/2015

BDP/(94)SCH/L001 - Planting Schedule	Received	30/10/2015
BDP/00/(20)A/100S-Ground Floor Plan	Received	11/02/2016
BDP/00/(20)A/101S - First Floor Plan	Received	10/02/2016
BDP/00/(20)A/102Q-Second Floor Plan	Received	10/02/2016
BDP/00/(20)A/103R-Third Floor Plan	Received	10/02/2016
BDP/00/(20)A/104Q-Fourth Floor Plan	Received	10/02/2016
BDP/00/(20)A/105P-Fifth Floor Plan	Received	10/02/2016
BDP/00/(20)A/106P-Sixth Floor Plan	Received	10/02/2016
BDP/00/(20)A/107N-Seventh Floor Plan	Received	10/02/2016
BDP/00/(20)A/108- Eighth Floor Plan (Cinema Level)	Received	30/10/2015
BDP/00/(20)A/109- Ninth Floor Plan	Received	30/10/2015
BDP/00/(20)A/110-Tenth Floor Plan	Received	30/10/2015
BDP/00/(20)A/111 - Eleventh Floor Plan	Received	30/10/2015
BDP/00/(20)A/112- Twelfth Floor Plan	Received	30/10/2015
BDP/00/(20)A/113- Thirteenth Floor Plan	Received	30/10/2015
BDP/00/(20)A/114 - Fourteenth Floor Plan	Received	30/10/2015
BDP/00/(20)A/115 - Fifteenth Floor Plan	Received	30/10/2015
BDP/00/(20)A/116 - Sixteenth Floor Plan	Received	30/10/2015
BDP/00/(20)A/1B2-Basement Level 02	Received	30/10/2015

BDP/03/(00)A/500 - Union Terrace - Typical 2B & Studio Flat Layout	Received	30/10/2015
BDP/03/(00)A/501 - Union Terrace - Typical 1B & 3B Flat Layout	Received	30/10/2015
BDP/03/(20)A/100 H- Union Terrace - Ground Floor Plan	Received	10/02/2016
BDP/03/(20)A/101 H - Union Terrace - First Floor Plan	Received	10/02/2016
BDP/03/(20)A/102 H - Union Terrace - Second Floor Plan	Received	10/02/2016
BDP/03/(20)A/103 F - Union Terrace - Third Floor Plan	Received	30/10/2015
BDP/03/(20)A/104 F - Union Terrace - Fourth Floor Plan	Received	30/10/2015
BDP/03/(20)A/105 E - Union Terrace - Fifth Floor Plan	Received	30/10/2015
BDP/03/(20)A/106 D - Union Terrace - Sixth Floor Plan	Received	30/10/2015
BDP/03/(20)A/107 D - Union Terrace - Seventh Floor Plan	Received	30/10/2015
BDP/03/(20)A/108 D - Union Terrace - Roof Plan	Received	30/10/2015
BDP/03/(20)A/300 F - Union Terrace - East & West Elevations	Received	10/02/2016
BDP/03/(20)A/301 F - Union Terrace - North & South Elevations	Received	10/02/2016
BDP/03/(21)A/201 C - Union Terrace - Sections AA & BB	Received	30/10/2015
BDP/03/(21)A/203 C - Union Terrace - Sections CC & DD	Received	30/10/2015
BDP/03/(21)A/205 C - Union Terrace - Section EE	Received	30/10/2015

BDP/03/(21)A/400 A - Union Terrace - Bay Study 1	Received	30/10/2015
BDP/03/(21)A/401 A - Union Terrace - Bay Study 2	Received	30/10/2015
BDP/03/(21)A/402 A - Union Terrace - Bay Study 3	Received	30/10/2015
BDP/03/(21)A/403 A - Union Terrace - Bay Study 4	Received	30/10/2015
BDP/03/(21)A/404 A - Union Terrace - Bay Study 5	Received	30/10/2015
BDP/03/(21)A/405 A - Union Terrace - Bay Study 6	Received	30/10/2015
BDP/03/(21)A/406 A - Union Terrace - Bay Study 7	Received	30/10/2015
BDP/03/(21)A/407 A - Union Terrace - Bay Study 8	Received	30/10/2015
BDP/03/(21)A/408 C - Union Terrace - Bay Study 9	Received	10/02/2016
BDP/03/SCH/001/ - Union Terrace - Material Schedule	Received	30/10/2015
BDP/04(20)A/100H Eden Crescent Building L00 Floor plan	Received	11/02/2016
BDP/04/(20)A/101E-Eden Cres Bldg-1st Floor Plan(Retail/Residential)	Received	30/10/2015
BDP/04/(20)A/102G-Eden Cres Bldg-2nd Floor Plan(Catering/Residential)	Received	10/02/2016
BDP/04/(20)A/103G-Eden Cres Bldg-Third Floor Plan(Residential)	Received	10/02/2016
BDP/04/(20)A/104E-Eden Cres Bldg-Fourth Floor Plan(Residential)	Received	30/10/2015
BDP/04/(20)A/105G-Eden Cres Bldg-Fifth Floor Plan(Typical Residential)	Received	04/04/2016

BDP/04/(20)A/106G-Eden Cres Bldg- Sixth Floor Plan(Residential)	Received	04/04/2016
BDP/04/(20)A/107G-Eden Cres Bldg- Seventh Floor Plan(Residential)	Received	04/04/2016
BDP/04/(20)A/108G-Eden Cres Bldg- Eighth Floor Plan(Residential)	Received	04/04/2016
BDP/04/(20)A/109G-Eden Cres Bldg- Ninth Floor Plan(Residential)	Received	04/04/2016
BDP/04/(20)A/110G-Eden Cres Bldg- Tenth Floor Plan(Residential)	Received	04/04/2016
BDP/04/(20)A/111G-Eden Cres Bldg- Eleventh Floor Plan(Residential)	Received	04/04/2016
BDP/04/(20)A/112E-Eden Cres Bldg- Twelfth Floor Plan(Residential)	Received	30/10/2015
BDP/04/(20)A/113E-Eden Cres Bldg- Thirteenth Floor Plan(Residential)	Received	30/10/2015
BDP/04/(20)A/114E-Eden Cres Bldg- Fourteenth Floor Plan(Residential)	Received	30/10/2015
BDP/04/(20)A/115E-Eden Cres Bldg- Fifteenth Floor Plan(Residential)	Received	30/10/2015
BDP/04/(20)A/116D-Eden Cres Bldg- Roof Plan(Residential)	Received	30/10/2015
BDP/04/(20)A/200G-Eden Cres Bldg- Section AA	Received	10/02/2016
BDP/04/(20)A/201H-Eden Cres Bldg- Section BB	Received	04/04/2016
BDP/04/(20)A/202G-Eden Cres Bldg- Section CC	Received	10/02/2016
BDP/04/(20)A/203H-Eden Cres Bldg- Sections DD & EE	Received	04/04/2016
BDP/04/(20)A/204E-Eden Cres Bldg- Sections FF-GG-HH	Received	30/10/2015

BDP/04/(20)A/205H-Eden Cres Bldg- Sections II-JJ	Received	04/04/2016
BDP/04/(20)A/300G-Eden Cres Bldg- Eden Street Elevation	Received	04/04/2016
BDP/04/(20)A/301F-Eden Cres Bldg- Eden Street Unwrapped Elevation	Received	04/04/2016
BDP/04/(20)A/302F-Eden Cres Bldg- Eden Walk Elevation	Received	10/02/2016
BDP/04/(20)A/303F-Eden Cres Bldg- Eden Crescent Elevation	Received	10/02/2016
BDP/04/(20)A/304F-Eden Cres Bldg- West Elevation	Received	10/02/2016
BDP/04/(20)A/305D-Eden Cres Bldg- Eden Crescent Unwrapped Elevation	Received	30/10/2015
BDP/04/(20)A/306A-Eden Cres Bldg- Eden Street Unwrapped Elevation	Received	04/04/2016
BDP/04/(20)A/400A-Eden Cres Bldg- Bay Study 1 Core A Podium	Received	30/10/2015
BDP/04/(20)A/401A-Eden Cres Bldg- Bay Study 2 Eden Street Core A	Received	30/10/2015
BDP/04/(20)A/402A-Eden Cres Bldg- Bay Study 3 Core A-B Link Podium	Received	30/10/2015
BDP/04/(20)A/403-Eden Cres Bldg- Bay Study 4 Eden Street Spine	Received	30/10/2015
BDP/04/(20)A/404A-Eden Cres Bldg- Bay Study 5 Eden Walk Tower	Received	30/10/2015
BDP/04/(20)A/405C-Eden Cres Bldg- Bay Study 6 Eden Crescent Canopy	Received	10/02/2016
BDP/04/(20)A/406-Eden Cres Bldg- Typical Apartment Layouts 1	Received	30/10/2015
BDP/04/(20)A/407-Eden Cres Bldg- Typical Apartment Layouts 2	Received	30/10/2015

BDP/04/(20)A/408-Eden Cres Bldg- Accessible Residential Layouts 1	Received	30/10/2015
BDP/04/SCH/001 Eden Cres Bldg- Material Schedule	Received	30/10/2015
BDP/05/(00)A/500 - Neville Yard Building Typical Resident Unit A & B	Received	30/10/2015
BDP/05/(00)A/501 - Neville Yard Building Typical Resident Unit C & D	Received	30/10/2015
BDP/05/(00)A/502 - Neville Yard Building Typical Resident Unit E & F	Received	30/10/2015
BDP/05/(00)A/503 - Neville Yard Building Typical Resident Unit G	Received	30/10/2015
BDP/05/(20)A/100G - Neville Yard Building Ground Floor Plan	Received	10/02/2016
BDP/05/(20)A/101G - Neville Yard Building First Floor Plan	Received	10/02/2016
BDP/05/(20)A/102D - Neville Yard Building Second Floor Plan	Received	30/10/2015
BDP/05/(20)A/103G - Neville Yard Building Third Floor Plan	Received	10/02/2016
BDP/05/(20)A/108D - Neville Yard Building Eighth Floor Plan	Received	30/10/2015
BDP/05/(20)A/109D - Neville Yard Building Ninth Floor Plan	Received	30/10/2015
BDP/05/(20)A/110D - Neville Yard Building Tenth Floor Plan	Received	30/10/2015
BDP/05/(20)A/111D - Neville Yard Building Roof Plan	Received	30/10/2015
BDP/05/(20)A/300G - Neville Yard Building East (ES) & West Elevations	Received	10/02/2016
BDP/05/(20)A/301G - Neville Yard Building South & North Elevations	Received	10/02/2016

BDP/05/(21)A/200F - Neville Yard Building Sections AA & BB	Received	10/02/2016
BDP/05/(21)A/201F - Neville Yard Building Sections CC & DD	Received	10/02/2016
BDP/05/(21)A/400B - Neville Yard Building North Bay Study	Received	10/02/2016
BDP/05/(21)A/401 - Neville Yard Building East Bay Study	Received	30/10/2015
BDP/05/(21)A/402 - Neville Yard Building South Bay Study	Received	30/10/2015
BDP/05/(21)A/403 -Neville Yard Building West Bay Study	Received	30/10/2015
BDP/05/(21)A/404 - Neville Yard Building Winter Garden Bay Study	Received	30/10/2015
BDP/05/(21)A/405 - Neville Yard Building M&S Bay Study	Received	30/10/2015
BDP/05/SCH/001 - Neville Yard Building Material Schedule	Received	30/10/2015
BDP/MP/(00)A/001-Site Location Plan	Received	30/10/2015
BDP/MP/(00)A/002-Planning Boundary Existing Ground Floor Plan	Received	30/10/2015
BDP/MP/(00)A/005- Proposed Site Plan - Ground Floor Plan	Received	30/10/2015
BDP/MP/(00)A/010-Existing Site Context Plan Ground Level	Received	30/10/2015
BDP/MP/(00)A/011- Existing Site Context Plan- First Level	Received	30/10/2015
BDP/MP/(00)A/012- Existing Site Context Plan - Second Level (CP2&3)	Received	30/10/2015
BDP/MP/(00)A/013- Existing Site Context Plan - 3RD Level (CP4&5)	Received	30/10/2015

BDP/MP/(00)A/014- Existing Site Context Plan- 4TH Level (CP6&7)	Received	30/10/2015
BDP/MP/(00)A/015- Existing Site Context Plan - 5TH Level (CP8&9)	Received	30/10/2015
BDP/MP/(00)A/016- Existing Site Context Plan- 6TH Level (CP10&11)	Received	30/10/2015
BDP/MP/(00)A/017- Existing Site Context Plan- 7TH Level (CP12&13)	Received	30/10/2015
BDP/MP/(00)A/018- Existing Site Context Plan- 8TH Level (CP14)	Received	30/10/2015
BDP/MP/(00)A/0B1- Existing Site Context Plan -Basement Level	Received	30/10/2015
BDP/MP/(00)A/901 -Existing Site & Demolition Plan (Ground Floor Plan)	Received	30/10/2015
BDP/MP/(20)A/000-Existing Site Elevations - Elevations 1-12	Received	30/10/2015
BDP/MP/(20)A/001-Existing Site Elevations - Elevations 13-24	Received	30/10/2015
BDP/MP/(20)A/002-Existing Site Elevations - Elevations 25-34	Received	30/10/2015
BDP/MP/(20)A/003-Existing Site Elevations - Elevations 35-40	Received	30/10/2015
BDP/MP/(20)A/120 - Existing Town Wide Elevation - Union Street	Received	30/10/2015
BDP/MP/(20)A/121 - Existing Town Wide Elevation - Eden Street	Received	30/10/2015
BDP/MP/(20)A/122B - Proposed Town Wide Elevation - Union Street	Received	10/02/2016
BDP/MP/(20)A/123B - Proposed Town Wide Elevation - Eden Street	Received	10/02/2016
BDP/MP/(20)A/123B - Proposed Town Wide Elevation Eden Street	Received	10/02/2016

BDP/MP/(20)A/124 - Proposed Town Wide Section 1 Looking South	Received	30/10/2015
BDP/MP/(20)A/125 - Proposed Town Wide Section 2 Looking West	Received	30/10/2015
BDP/MP/(20)A/126B - Proposed Town Wide Section 3 Looking East	Received	10/02/2016
BDP/MP/(20)A/127B - Proposed Town Wide Section 4 Looking North	Received	10/02/2016
BDP/MP/(20)A/128 - Proposed Town Wide Section 5 Looking North & South	Received	30/10/2015
BDP/MP/(20)A/129 - Proposed Town Wide Section 6 Looking North & South	Received	30/10/2015
BDP/MP/(20)A/129B - Proposed Town Wide Section 6 Looking North & South	Received	10/02/2016
BDP/MP/(20)A/130B - Proposed Town Wide Section 7 Looking East & West	Received	10/02/2016
BDP/MP/(20)A/131B - Proposed Town Wide Section 8 Looking East & West	Received	10/02/2016
BDP/MP/(20)A/132 - Proposed Town Wide Section 9 Looking East & West	Received	30/10/2015
BDP_00_20A_1B1N GA Basement level 1 plan	Received	23/12/2015
BDP_05_20A_104F Neville Yard GA Fourth floor	Received	23/12/2015
BDP_05_20A_105F Neville Yard GA Fifth floor	Received	23/12/2015
BDP_05_20A_106F Neville Yard GA Sixth floor	Received	23/12/2015
BDP_05_20A_107F Neville Yard GA Seventh floor	Received	23/12/2015
BDP_05_20A_1B1A GA Neville Yard GA Basement level 1 plan	Received	23/12/2015

Breeam Pre-Assessment	Received	30/10/2015
Car Park Management Plan	Received	30/10/2015
Construction Logistics Plan	Received	30/10/2015
Design and Access Statement 11_Car and Cycle Parking	Received	30/10/2015
Design and Access Statement 16_Appendix	Received	30/10/2015
Design and Access Statement 17_Glossary	Received	30/10/2015
Design and Access Statement 6.5_Neville Yard	Received	30/10/2015
Design and Access Statement 1_Introduction	Received	30/10/2015
Design and Access Statement 10_Waste Strategy	Received	30/10/2015
Design and Access Statement 12_Safety and Security Measures	Received	30/10/2015
Design and Access Statement 13_Flood Risk	Received	30/10/2015
Design and Access Statement 14_Sustainability	Received	30/10/2015
Design and Access Statement 15_Access	Received	30/10/2015
Design and Access Statement 2_The Site.	Received	30/10/2015
Design and Access Statement 3_The Town Centre	Received	30/10/2015
Design and Access Statement 4_Consultation	Received	30/10/2015
Design and Access Statement 5_Masterplan Principles	Received	30/10/2015

Design and Access Statement 6.1_Detailed Scheme	Received	30/10/2015
Design and Access Statement 6.2_Central Amenity Space	Received	30/10/2015
Design and Access Statement 6.3_Union Terrace	Received	30/10/2015
Design and Access Statement 6.4_Eden Crescent	Received	30/10/2015
Design and Access Statement 6.6_Car Parks and Service Yard	Received	30/10/2015
Design and Access Statement 7_Public Realm and Landscape	Received	30/10/2015
Design and Access Statement 8_Lighting Strategy	Received	30/10/2015
Design and Access Statement 9_Cleaning and Maintenance	Received	30/10/2015
Eden Walk – Pre DC Response Document covering letter	Received	29/03/2016
Eden Walk Images 24.03.16.pdf Part 1	Received	29/03/2016
Eden Walk Images 24.03.16.pdf Part 2	Received	29/03/2016
Eden Walk Images 24.03.16.pdf Part 3	Received	29/03/2016
Eden Walk Images 24.03.16.pdf Part 4	Received	29/03/2016
Employment, Training and Skills Strategy	Received	29/02/2016
Energy Strategy	Received	30/10/2015
Env. Statement -Vol 2 Appendix 10.2 Memorial Gardens Pre-determination	Received	30/10/2015
Environmental Statement - Vol 1 Fig 7.2 Designated Construction Route	Received	30/10/2015

Environmental Statement - Vol 1 Figure 11.1 Existing Ground Floor Plan	Received	30/10/2015
Environmental Statement - Vol 1 Figure 8.2 Energy Plant Receptors Locs	Received	30/10/2015
Environmental Statement - Vol 2 Appendix A	Received	30/10/2015
Environmental Statement - Vol 2 Appendix B Photos From Site Walkover	Received	30/10/2015
Environmental Statement - Vol 2 Appendix D BGS Borehole Records	Received	30/10/2015
Environmental Statement - Vol 2 Appendix 2.3 Scoping Opinion Response	Received	30/10/2015
Environmental Statement - Vol 2 Appendix 2.5 Ground Conditions Report	Received	30/10/2015
Environmental Statement - Vol 2 Appendix 3.1 Floorspace Area Schedule	Received	30/10/2015
Environmental Statement - Vol 2 Envirocheck Report Data Sheet	Received	30/10/2015
Environmental Statement - Vol 2 Substructure Issues & Ground Investigations	Received	30/10/2015
Environmental Statement - Volume 1 Chapter 15 Mitigation Summary	Received	30/10/2015
Environmental Statement - Volume 1 Chapter 7 Traffic and Transport	Received	30/10/2015
Environmental Statement - Volume 1 Chapter 1 Introduction	Received	30/10/2015
Environmental Statement - Volume 1 Chapter 10 Archaeology	Received	30/10/2015

Environmental Statement - Volume 1 Chapter 11 Water Resources	Received	30/10/2015
Environmental Statement - Volume 1 Chapter 12 Wind Microclimate	Received	30/10/2015
Environmental Statement - Volume 1 Chapter 13 Daylight Sunlight	Received	30/10/2015
Environmental Statement - Volume 1 Chapter 14 Climate Change	Received	30/10/2015
Environmental Statement - Volume 1 Chapter 2 Methodology	Received	30/10/2015
Environmental Statement - Volume 1 Chapter 6 Socio-economic Issues	Received	30/10/2015
Environmental Statement - Volume 1 Chapter 8 Air Quality and Odour	Received	30/10/2015
Environmental Statement - Volume 1 Chapter 9 Noise and Vibration	Received	30/10/2015
Environmental Statement - Volume 1 Fig 1.1 Site Location Plan	Received	30/10/2015
Environmental Statement - Volume 1 Fig 12.1 to 12.16 Wind Assessment	Received	30/10/2015
Environmental Statement - Volume 1 Fig 3.1 Planning Boundary	Received	30/10/2015
Environmental Statement - Volume 1 Fig 3.2 Scheme Masterplan	Received	30/10/2015
Environmental Statement - Volume 1 Fig 3.3 Landscape Strategy	Received	30/10/2015
Environmental Statement - Volume 1 Fig 7.1 Road Accident Data Plot	Received	30/10/2015
Environmental Statement - Volume 1 Figure 8.1 Receptor Locations	Received	30/10/2015
Environmental Statement - Volume 1 Figure 9.1-9.14 Noise	Received	30/10/2015

Environmental Statement - Volume 1 Fig 5.2 Proposed Construction Access	Received	30/10/2015
Environmental Statement - Volume 1 Figure 13.1-13.2 Daylight Sunlight	Received	30/10/2015
Environmental Statement - Volume 2 Appendix 2.6 Committed Development	Received	30/10/2015
Environmental Statement - Volume 2 Appendix 2.1 EIA Scoping Report	Received	30/10/2015
Environmental Statement - Volume 2 Appendix 2.2 Scoping Opinion	Received	30/10/2015
Environmental Statement - Volume 2 Appendix 2.4 Ecology Report.	Received	30/10/2015
Environmental Statement - Volume 2 Appendix 5.1 Framework CEMP	Received	30/10/2015
Environmental Statement - Volume 3 THVIA	Received	30/10/2015
Environmental Statement -Vol 1 Fig 5.3 Proposed Construction Traffic	Received	30/10/2015
Environmental Statement -Vol 2 Appendix C Historical Maps & Envirocheck	Received	30/10/2015
Environmental Statement -Vol 2 Appendix 10.1 Historic Env. Assessment	Received	30/10/2015
Environmental Statement -Vol 2 Appendix 12.1 Wind Microclimate Study	Received	30/10/2015
Environmental Statement -Vol 2 Appendix 14.1 Drainage Technical Memo	Received	30/10/2015
Environmental Statement -Vol 2 Appendix 14.4 Embodied Carbon Benchmark	Received	30/10/2015

Environmental Statement -Vol 2 Appendix 9.3 Construction NSR Assessment	Received	30/10/2015
Environmental Statement -Vol1 Chapter 3 The Site & Proposed Development	Received	30/10/2015
Environmental Statement -Volume 2 Appendix 11.1 Flood Risk Assessment	Received	30/10/2015
Environmental Statement -Volume 2 Appendix 13.1-13.5 Daylight Sunlight	Received	30/10/2015
Environmental Statement -Volume 2 Appendix 14.2 Climate Change Affects	Received	30/10/2015
Environmental Statement -Volume 2 Appendix 14.3 Outline GI Audit	Received	30/10/2015
Environmental Statement -Volume 2 Appendix 6.1 Socio-Economic Baseline	Received	30/10/2015
Environmental Statement -Volume 2 Appendix 8.1-8.5 Air Quality	Received	30/10/2015
Environmental Statement -Volume 2 Appendix 9.1 Noise Survey Report	Received	30/10/2015
Environmental Statement -Volume 2 Appendix 9.2 Noise Survey Positions	Received	30/10/2015
Environmental Statement -Volume 2 Appendix 9.4 Traffic Data	Received	30/10/2015
Environmental Statement Non- Technical Summary	Received	30/10/2015
Environmental Statement Vol1 Chapter 4 Alternatives & Design Evolution	Received	30/10/2015
Environmental Statement Volume 4 - Appendix B Travel Survey Result	Received	30/10/2015
Environmental Statement Volume 4 - Transport Statement Part 1	Received	30/10/2015

Environmental Statement-Vol1 Chapter 5 Construction Programme & Methodology	Received	30/10/2015
Environmental Statement Volume 4 Residential Travel Plan	Received	30/10/2015
Environmental Statement Volume 4 Appendix 1 TRAVL Output	Received	30/10/2015
Environmental Statement Volume 4 Appendix B Travel Survey Result	Received	30/10/2015
Environmental Statement Volume 4 Appendix C & D	Received	30/10/2015
Environmental Statement Volume 4 Appendix E Footway Shopping-Up Plan	Received	30/10/2015
Environmental Statement Volume 4 Site-Wide Framework Travel Plan	Received	30/10/2015
Environmental Statement-Vol1 Fig 5.1 Extent of demolition & construction	Received	30/10/2015
Health Impact Assessment	Received	30/10/2015
Internal Daylight Sunlight and Overshadowing Report	Received	30/10/2015
Outline Delivery and Servicing plan	Received	30/10/2015
Planning Statement	Received	30/10/2015
Statement Of Community Involvement	Received	30/10/2015
Statement Of Community Involvement Supporting Documents	Received	30/10/2015
Sustainability Statement	Received	30/10/2015
Ventilation And Air Exhaust Discharge Strategy	Received	30/10/2015
View 23a	Received	04/04/2016

View 24a	Received	04/04/2016
View 28a	Received	04/04/2016
View 29a	Received	04/04/2016
Waste Management Strategy	Received	30/10/2015

BASIC INFORMATION

NATIONAL

National Planning Policy Framework 2012 (NPPF)

Other National Guidance

HISTORIC ENGLAND: THE SETTING OF HERITAGE ASSETS: HISTORIC ENVIRONMENT GOOD PRACTICE ADVICE IN PLANNING: 3 (JULY 2015)

CABE/ENGLISH HERITAGE: GUIDANCE ON TALL BUILDINGS (JULY 2007)

The 2007 CABE/English Heritage Tall Buildings Guidance is currently being reviewed. English Heritage and the Design Council consulted on a draft revised document in the autumn of 2014. However, the revised guidance has not yet been published, and the 2007 Guidance remains the current guidance for the consideration of tall buildings.

Department for Communities and Local Government (DCLG): Nationally Prescribed Space Standards May 2015

THE DEVELOPMENT PLAN

The Development Plan for Kingston comprises the London Plan (Further Alterations adopted March 2015), the Kingston Core Strategy that was adopted in 2012 and the 2008 Kingston Town Centre Area Action Plan. The Core Strategy is in general conformity with the National Planning Policy Framework when this was published in early 2012.

POLICIES

Regional : The London Plan 2015

Policy 2.6 Outer London: Vision and Strategy

Policy 2.7 Outer London: Economy

Policy 2.8 Outer London: Transport

Policy 2.15 Town Centres
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing supply
Policy 3.5 Quality and design of housing developments
Policy 3.7 Large residential developments
Policy 3.8 Housing Choice
Policy 3.9 Mixed and balanced Communities
Policy 3.10 Definition of Affordable Housing
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds
Policy 4.3 Mixed Use Developments and Offices
Policy 4.7 Retail and Town Centre Developments
Policy 5.1 Climate Change
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable Energy
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood Risk Management
Policy 5.13 Sustainable Drainage
Policy 5.17 Waste Capacity
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.4 Local Character
Policy 7.5 Public Realm
Policy 7.6 Architecture
Policy 7.7 Location and design of tall and large buildings
Policy Heritage assets and archaeology

Supplementary Planning Guidance

Housing

Providing for Children and Young People's Play and Informal Recreation

Local

Local Development Framework – Core Strategy (Adopted April 2012)

Policy CS 1 Climate Change Mitigation

Policy CS2 Climate Change Adaptation

Policy CS4 Thames Policy Area

Policy CS5 Reducing the Need to Travel

Policy CS6 Sustainable Travel

Policy CS7 Managing Vehicle Use

Policy CS8 Character, Heritage and Design

Policy CS9 Waste Reduction and Management

Policy CS10 Housing Delivery

Policy CS11 Economy and Employment

Policy CS12 Retail and Town Centres

Policy CS14 Safer Communities

Policy DM1 Sustainable Design and Construction Standards

Policy DM2 Low Carbon Development

Policy DM3 Designing for Climate Change

Policy DM4 Water Management and Flood Risk

Policy DM6 Biodiversity

Policy DM8 Sustainable Transport for New Development

Policy DM9 Managing Vehicle Use for New Development

Policy DM10 Design Requirement for New Developments (including House Extensions)

Policy DM11 Design Approach

Policy DM12 Development in Conservation Areas and Affecting Heritage Assets

Policy DM13 Housing Quality and Mix

Policy DM15 Affordable Housing

Policy DM17 Protecting Existing Employment Land and Premises

Policy DM19 Protecting Existing Retail uses

Policy DM20 New Retail Development

Policy DM22 Design for Safety

Policy IMP1 Partnership Working in Kingston

Policy IMP2 Sewerage and Water Infrastructure

Policy IMP3 Securing Infrastructure

Policy IMP4 Facilitating Delivery

Kingston Town Centre Area Action Plan (2008)

K+K01 New and Enhanced Shopping Facilities

K+K04 Employment Development within the Town Centre

K+K06 Provision of Facilities for Arts etc

K+K07 Housing

K+K09 Design Quality in the Town Centre

K+K10 Town Centre Public Realm

K+K14 The Hogsmill River

K+K15 Town Centre Road Network

K+K16 Public Transport

K+K17 Pedestrian Environment

K+K18 Cycling

K+K19 Other Measures to Improve Accessibility

K+K20 Town Centre Parking

K+K21 Managing the Town Centre

K+K22 Town Centre Infrastructure

K+K24 Flood Risk Management

K+P1

Supplementary Planning Documents

Eden Quarter Development Brief SPD (March 2015)

Residential Design SPD July 2013

Affordable Housing SPD May 2013

Sustainable Transport SPD (May 2013)

Access for All SPD (2005)

The Council's Policy Programme 2015-2016

PREVIOUS RELEVANT HISTORY

15/12522/EIA	Request for Environmental Impact Assessment Scoping Opinion for the partial demolition and redevelopment of the Eden Walk Shopping Centre	Environmental Impact Assessment Scoping 10/07/2015
14/12069/FUL	Minor material amendment to planning permission 13/12738/FUL (Installation of air conditioning and mechanical ventilation plant on the roof.)	Permit with conditions 21/03/2014
13/12936/ADV	Installation of stove enamelled panel and cement board with M&S style advertisement to replace existing 'Marks & Spencer' fascia and entrance doors in Pratts Passage (ADVERTISEMENT CONSENT NOT REQUIRED)	Deemed Consent Schedule 3 30/01/2014
13/12906/FUL	Closure and infill of the Pratt's Passage entrance to Marks and Spencer	Refuse Full Application 17/01/2014
13/12738/FUL	Installation of air conditioning and mechanical ventilation plant on the roof.	Permit with conditions 28/10/2013
12/12277/FUL	Change of use of Suite 5 on first floor from B1(office) to D1(Chiropractic Clinic).	Permit with conditions 11/07/2012
11/12817/FUL	Retention of one hot food kiosk (Use Class A3/A5) with associated outside seating and one kiosk (use class A1) at Eden Walk, Kingston	Permit with conditions 08/02/2012
11/12278/FUL	Change of use of Western Mall Walkway to Class A1(retail) and new facades facing Union Street & Central Square to provide a new retail unit; replacing paving throughout Centre; improvements to Central Square including kiosk zones, seating and soft landscaping; improvements to Alderman Judge Mall and entrance, and designation of kiosk zone	Subject to Legal Agreement Permit 26/07/2011

11/12264/NMA	` Non material amendment to planning permission 10/12714 Refurbishment works at Eden Walk to include replacement of anti climb barrier, amendments to south block canopy and pilaster, new rigid board to car park soffits and change from pre finished panel board with strip lighting to seamless flat ceiling with recessed lighting	Accept 13/05/2011
10/12714/FUL	Refurbishment works at Eden Walk including over cladding of facades and canopies in Eden Walk and Eden Street, new lighting to Eden Walk & Central Square, new ceiling and lighting to Alderman Judge Mall, new architectural feature on BHS frontage on Eden Street and new glass over-cladding and lighting to Alderman Judge Mall entrance canopy (Phase 1) and 2 x totem poles	Permit with conditions 30/12/2010
04/12365/FUL	Alterations to the western side of the building comprising the erection of a tower to accommodate a lift, the erection of glazed lobby area and the provision of a ramp	Permit 5 Year Condition 27/07/2004

CONSULTATION

Neighbour Notification

A total of 5781 residents were consulted on the proposal along with 4 site notices being placed around the site and a notice also being placed in the press. 168 letters of objection have been received raising the following concerns.

- Excessive height which is out of proportion with a historic market town should be reduced to 12 storeys in height
- Over-development
- Tallest building will impact on views from Richmond, Bushy and Home Park creating an obtrusive unsightly vista
- Height will shade adjacent streets
- Little benefit in shopping terms

- Kingston is not Croydon
- Assumption about .45 cars per residential unit is unrealistic
- Impact on local infrastructure schools, doctors etc
- Level of disruption to traffic and public transport due to building works
- Pressure on local sewers
- Existing tenants of Eden walk forced out
- No need for a boutique cinema
- Concerns about asbestos following discovery in Sainsburys
- Loss of office space across Kingston town centre
- Residential units should not be located in a town centre
- More buses should be provided and more frequent trains to Kingston Station
- Neville House Yard is too high and exceeds the brief. A cinema is fundamentally the wrong solution for a location with panoramic views
- Union Terrace the loss of the thoroughfare between Eden Circus and Crown Arcade is not acceptable and would compromise the commercial viability of the units in Crown Arcade
- Union Street frontage is monolithic and totally out of keeping with Apple Market Buildings
- The view from the Thomas Cook Passage presents a serious clash of scale and form
- Consideration should be given to incorporating brighter reflective surfaces on the south-east elevation of Core B to improve natural sunlight in the public realm.
- Access point should be moved from areas of high footfall.
- What are the plans for the shoppers car park during construction
- Construction traffic needs to be co-ordinated with TOPO
- The application for exceptional circumstances relief from Kingston CIL is a concern as a development of this size would be expected to contribute millions to the benefit of local people
- No affordable housing is to be provided
- Developments in Zone 3 should mitigate flood risk not increase run off
- Improvement to public spaces do not go far enough given the scale of what is being proposed
- 30% less tradeable shop space, 30% less office spaces and 100% loss of financial/ professional services replaced with 470% additional food and beverage space
- Southerly aspect of the scheme creates a cliff face which turns the southern part of Ede in Street into a shadowy, chilly, foreboding canyon
- Glass balconies do not look safe in addition they often become storage areas for bikes, bbqs and washing
- Access to the cinema look cramped.

- Kingston doesn't need another cinema it could be used as performance space for music / dance / theatre
- Glass structure in central spaces will create an undesirable crowding effect
- Glazed canopy over dining terrace will be a dark and gloomy overshadowed area
- The public spaces have severe lack of daylight/sunlight other than Memorial Gardens
- Issues of current problems with birds have not been taken into account
- Size of residential units are poor
- If we want to increase housing supply we should do it outside the town centre in Tolworth, Chessington and New Malden
- Scheme fails to deliver a landmark building
- The war memorial should not be moved just to create a pathway into the scheme
- Style of the building is too modern
- At 505 uph the development is above the London Plans density matrix
- Lack of disabled parking
- Loss of trees
- Basements will remove archaeology
- There needs to be modelled scenarios for emergency such as fire or terrorism
- Risk of items being dropped off balconies to the street below
- Development does not include a department store
- Scheme represents a loss of comparison floorspace in the prime shopping area
- Reduction in shoppers car parking spaces by 289 spaces
- Has the scheme been referred to a Design Review Panel
- Has 3D Modelling been used
- Licensed premises should only be on the ground floor to prevent intentional falls, jumps or malicious attacks
- Concern about the loss of convenience retail floorspace

18 letters of support have been received raising the following points

- Excellent plan Kingston needs this kind of development urgently we need more homes in the town centre.
- Like the way Memorial Gardens will be opened up
- Proposal will modernise the town and create jobs
- Welcome the proposals that maintain and enhance the distinctive character of Kingston
- The re-provision of retail space and enhanced street frontages and connections will complement the Bentall Centre

- Addition of a taller building would reflect modern urban centre and meet aspirations of the Opportunity Area status
- Kingston has never been a local town for local people it's always served the whole NE Surrey. This is the best chance Kingston has to keep the centre from dying on its feet.
- The extensive redevelopment proposal represents an important strategic investment for businesses and commercial enterprises
- Heritage impacts have been thoroughly assessed
- Introduction of residential units will result in 24 hour activity therefore improving vibrancy and surveillance.
- Strongly support the applicant's local initiatives as a mother of a child who benefits from Kingston Young Careers more developers should do this.
- If you are going to have tall buildings the town centre is the best place for them. The height appears appropriate and sits comfortably with the rest of the town.
- More modern retail units are needed if we are to keep up with other local shopping alternatives like Croydon and Westfield at Shepherd Bush.
- There can never be too many restaurants and cafe in Kingston and there is definitely a need for more.

Residents Associations

Riverside Residents Alliance

- Too High
- Proposed development is too bulky and would overdevelop the site.
- There is no minimum contribution to affordable housing, the profit sharing has no guaranteed minimum amount.
- No infrastructure to schools and transport etc.
- Proposal would be damaging to our heritage and diminish the All Saints Church on the skyline. Share the concerns of Historic England.
- Improvements to public spaces do not go far enough.
- Should be refused for similar reasons to TOPO.

Other Bodies / Groups

CPRE

- Wish to object as CPRE London members and supporters have raised concerns about the height of proposed development in the area, including this proposal and the impact on protected views and vistas as set in local planning policy documents.

- The conservation movement began in the Arcadian Thames, with a movement to protect the view from Richmond Hill so it is a major concern that important surrounding views could be irrevocably harmed. There is concern that the impact on these views and vistas is not being given sufficient weighting in decision making for major developments in this area.

Friends of Bushy and Home Parks

- The skyline of Bushy and Home Parks will be compromised
- Impact of large areas of glazing and reflecting of sunlight into the park
- Light pollution in the parks

Kingston Upon Thames Society

- The scheme is excessively high for its surroundings taller than other buildings including the Premier Inn
- Union Terrace would be 40% higher than specified in the Eden quarter Brief
- Neville Yard Winter Garden is 50% higher than that specified in the Brief
- Eden Crescent is 50% higher than the 9+ specified in the Brief and would have a detrimental impact on the Grade 2 Old Post Office and should be one of the many grounds for refusal
- Union Terrace would have a similar effect on the United Reform Church
- Most of the development would be seen from the Ancient Market Place Conservation Area and Grade 1 All Saints Church in contravention of the NPPF
- The “high quality open space” is poor with only 2 hours of sun between September and March
- No affordable housing and the profit share does not guarantee any affordable housing
- The lack on any certain CIL payments means that new school places, highways and public transport improvements may be borne by the Council.

Kingston Residents Alliance (KRA)

- 385 housing units is a very large element on top of a major multi-level retail-led complex. It is more than was rejected on the adjacent Old Post Office site. As a result the scale is massive compared to familiar landmarks such as the Grade II listed United Reformed Church next to the site. We are concerned about the harm some aspects of the

scheme will have on the surrounding streetscape; on views into and out of the neighbouring areas, and especially on the settings and protected views and historic assets such as the Old Town, Ancient Market Square and the United Reformed Church.

- The improved connection and use of Memorial Gardens is welcomed, almost as a no-brainer. Unfortunately the car ramp will interrupt the visual openness, but this is one of the many challenges of this site.
- With the increased number of residents and general scale of the proposal - are the public spaces really big enough in proportion to what is being proposed? Will public access to upper levels be managed after hours if required?
- The sunny courtyard next to the United Reformed Church is a missed opportunity. This open space could become a smaller version of the successful Apple Market, with its sunny aspect and enclosure. Could a significant piece of art or water feature contribute to this space?
- The current Eden Walk square is somewhat successful as a place to stop and rest: ergonomically and environmentally if not visually. But the proposal would harm this space because:
 - It will have less sunlight: less than 2 hours sunshine for most of the period 21 Sept – 21 Mar.
 - The space will be looked down upon.
 - The amount of seating will be reduced and is not ergonomically designed to sit on.
 - Its' space and focus is compromised by the addition of a glass structure providing access to lower levels.
 - It may be noisy due to the circular design and noise reflective surfaces.
- At street level the creation of a great monolith would harm the existing grain of the old town centre, characterized by small individual plots and vertical variation in street views. The scheme has not responded in kind. Instead we agree with CABEs September 2015 statement.
- We are concerned that height guidance is not being adhered to across the entire site.
- The 'landmark' location of 9+ storeys has for a long time been designated for this location by the Area Action Plan. However even at an excessive 16 stories, its effectiveness as a way-finding townscape marker is compromised by its crowding by the rest of the scheme. As a result the overall scale and height of the entire scheme loses its justification and becomes unacceptable. The Neville Yard Winter Garden is particularly obscuring when viewed from the Eden Street - Clarence Street corner. Complying with the height guidance would go a long way to resolve this issue.

- No minimum amount of affordable housing and none provided on site. We recognise the risks associated with retail development but feel that the developer should factor a contribution to affordable housing (and / or CIL) within their business plan. At present their returns are protected and community benefits are entirely at risk, this seems completely unbalanced.
- The developer is not expecting to contribute money towards health, education etc as part of the new CIL: Community Infrastructure Levy (formerly s106). Normally a development of this scale would contribute millions of pounds towards improving the local infrastructure. As with affordable housing, they are claiming poverty via the Viability Report.
- The Eden Walk regeneration is the largest single development in the borough for decades. What does this proposed development say about Kingston's future character, aspirations and identity? What is it giving back to existing community? Why is there no room for music, art, a children's play area or even a little a space for Kingston University graduates to showcase their skills, etc. Nothing holistic is on offer. Just better shopping facilities, together with a massive housing development with no homes made affordable for local residents, not even a shelter for the town centre homeless.
- We are very concerned over the cumulative effect of this proposal together with other recent and planned developments on our creaking and over burdened infrastructure. Residents have asked for a CUMULATIVE INFRASTRUCTURE IMPACT assessment from the council. We are still waiting for evidence that decision makers, developers and planners have been assessing the rising need for school, health and transport provisions as the multitude of developments come to fruition and are occupied.

In line with the Localism Act 2011 the applicant has also carried out their own extensive consultation prior to the submission of the application. A Statement of Community Involvement has also been submitted as part of the application. The consultation took the form of meetings and exhibitions over an 18 month period. Meeting were held with Council Officers, the Leader of the Council, Local Councillors, Fusion Arts, The Kingston upon Thames Society, Kingston Residents Alliance, Kingston Conservation Areas Advisory Committee, United Reform Church, Everyday Church, All Saints Church, British Legion, Historic England, War Memorials Trust Kingston First, Kingston Employment and Skills Working Group, Kingston Centre for Independent Living and Kingston Shop Mobility.

A number of exhibitions were also held in 2014 and 2015. In the summer of 2014 12,500 people were invited to an exhibition across 3 days and were asked for their views on the potential redevelopment of Eden Walk. This was followed in the summer of 2015 by a series of exhibitions across the entire Borough where over 50,000 people were invited to attend exhibitions in their neighbourhood.

A final exhibition was held over 2 days in October 2015 prior to the application submission.

In addition the applicant set up a website to enable the public to access all the information about the project

Statutory Consultees

Kingston Town Conservation Area Advisory Committee -While in general the Committee agrees that the Kingston historic centre could use a regeneration, there are a few points where this particular scheme falls short.

Scale and Massing

Even though Kingston has a variety of tall buildings which are scattered throughout the Town Centre, the height of the proposed development is at least three times the height of the neighbouring buildings along Eden Street, Clarence Street and the High Street. As it can be seen in the Site Sections, the volume of the proposed development is out of scale, showing no sensitivity towards the Ancient Market and the Kingston Old Town Conservation Area. Especially the Eden Crescent Building, which will be 16 floors high, is out of balance with the adjacent urban fabric. As shown in the pictures submitted by the Developers, Pavilion C will dominate Kingston's cityscape and overpower current properties in the Old Town conservation area as well as neighbouring conservation areas to the detriment of the ambience of Kingston. It is understood that the proposed neighbouring development of The Old Post Office, which may have influenced this proposal, has been rejected or sent back for further amendments by the Planning Committee and Councillors after a public meeting. That proposal also called for high, bulky buildings incorporating luxury flats, niche shops and restaurants.

Parking

According to the plans submitted, there will be 171 parking spaces for the residents and 408 commercial parking spaces. Obviously, 171 spaces are not merely enough for the 498 new flats. Also, the 408 commercial spaces are actually fewer than the 697 existing ones. The new residents and all the people employed in the regenerated city centre will need a big number of parking spaces, which are not incorporated in the proposed scheme. This will create a consequential pressure to build more car parking and on already heavily used public transport. New residents commuting by public transport to central London and surrounding areas will also add to the latter problem.

Retail

The developers say that there is increasing demand from the retail and restaurant sectors to move into Kingston. However, although we have few empty premises there has in recent times been a considerable turnover of retailers, and some of those who have gone have been replaced by multiple, down-market, retailers rather than the upmarket niche shops hinted at. High business rates mean that smaller craft and specialist shops cannot afford

central Kingston. We continue to have new restaurants moving into Kingston, mainly because of the existence of the Rose Theatre.

Affordable Housing

One of the most important issues is the lack of Affordable Housing. As stated in the Kingston upon Thames Supplementary Planning Documents 'On sites of 10 dwellings or more, the Council will require 50% of the units to be provided as affordable housing'. The proposed scheme has obviously disregarded this clause, as no affordable housing has been provided. The current residents will also require temporary accommodation whilst work is done; an issue the Developers have not addressed. The developers are therefore not fulfilling the requirement to build a proportion of new affordable housing.

Many of the workers required to staff the new retail shops and restaurants will be low-paid. If there is no affordable housing provision in central Kingston that again will put pressure on heavily used public transport systems to bring them in.

Roof Gardens

While it is appreciated that there are a lot of new green areas in the proposed scheme in the form of Roof Gardens, all of them are private or only accessed by the residents. It would be interesting if parts of these gardens could be accessed by the public, in a form of elevated parks. This way everybody will have the chance to enjoy the view whilst being in the City Centre.

The only part of the development which seems to pay attention to the fact that they are building in an ancient market town are the proposed improvements to the Memorial Gardens and the areas around the Everyday Church and the United Reformed Church, and the improved links to the Market Place and Clarence Street.

Historic Royal Palaces: No objections

Royal Parks: No objections

Historic England: Consider that the proposals would cause harm to the historic environment that has not been sufficiently justified. The harm is however less than substantial harm. To be acceptable very large developments should be in an appropriate location, of excellent design quality and should enhance the qualities of its immediate location and wider setting. Given its poor relationship to its historic context and the harm it causes to the significance of a number of listed buildings, we believe the proposals fail to meet these test.

The proposal would cause some harm to the setting of All Saints Church when viewed from Kingston Bridge due to the visual primacy and landmark character of the church tower being reduced.

The proposal would have a major impact on the setting of the United Reform Church and the former Post Office. Due to the dominance of the Eden Crescent building due to its height, bulk and proximity to the listed buildings.

Also comment that the importance of setting of the war memorial has not been adequately assessed in the documents supporting the application.

The Royal British Legion: Strongly support the relocation of the war memorial. We were consulted on a number of options for the Memorial and we also contacted a number of local branches to choose our favoured location which is the one which forms part of the application. It was preferred because it allows people to look at it walking towards it and provides far greater area for services of Remembrance which at the moment is very restricted.

Neighbourhood Traffic Engineer: No objection subject to conditions

Climate Change and Sustainability: No objection subject to conditions

Trees and Landscape: No objection subject to conditions. The tree removals are all well justified, the ground floor planting plan provided appears satisfactory in terms of numbers and the species are appropriate, with the exception that I would omit the Liquidambar from the central circle as this tree will not do well when overshadowed to such a degree by the proposed adjacent buildings. It would be better to establish this central space through premium finishes and architectural beauty than to plant a feature tree which then fails due to a lack of light. Furthermore, this tree will not provide the resplendent autumn colours it is famed for without full sunlight, something that according to the Daylight/Sunlight report virtually never occurs throughout the course of the year.

Regarding the planting on the roof garden spaces the choices of plants and shrubs are acceptable but greatly concerned by the choice of trees. While the smaller and multi stemmed specimens such as Himalayan Birch and Amelanchier may suit these confined spaces and long term retention in contained beds and planters, it would be very risky to plant some of the other large species such as Quercus Ilex, Lime and 7.5m tall single stem Magnolia. No matter how much contained environment is offered to these trees, they will demand more. No objection to the planting of trees in these situations, but even the smaller trees will need substantial provision and we will certainly need a detailed landscape and tree maintenance regime to be submitted for approval and to be run in perpetuity.

Environmental Health: Food: No objections subject to conditions

Noise / Contamination: No objections subject to conditions regarding hours of working during construction, piling, acoustic insulation of dwellings, plant noise, hours on delivery and servicing, hours of trading for retail units and contamination.

Housing: Policy DM15 states that delivery of affordable housing is a key priority and the Council will seek to maximise its provision. Developments of 10 units or more are required to provide 50% of the units as affordable housing. Proposals departing from these requirements are expected to justify lower provision through the submission of a financial appraisal. This applies to all residential and mixed-use developments. The development appraisal will be

scrutinised by an independent third party with relevant expertise. The independent assessment will be paid for by the applicant.

The applicant has indicated in his/her planning statement that the financial appraisal for this development shows that it cannot provide any on site affordable housing or a payment in lieu of affordable housing. Following the independent review of the financial viability housing accepts the report findings it however welcomes the review mechanisms which will allow monies for off site affordable housing.

Waste and Recycling: Comments awaited

Lead Local Flood Authority: No objections subject to conditions

Designing Out Crime: No objections Due to its intended use, its location, and the proposed neighbouring developments the final development would be considered a crowded place due to the density of people expected to be within the centre, therefore counter terrorist issues have to be taken into consideration.

A project study should be performed to assess the increase demand on policing for the area.

- External areas should be covered by appropriate CCTV cameras. Consideration should be given to incorporating the CCTV into Kingston Councils CCTV system which has a direct radio link with the local police.

- The landscaped areas within all residential communal amenity space should allow natural surveillance, avoid the creation of potential hiding places and not provide climbing aids into dwellings. The landscaping should not obscure lighting or CCTV cameras field of view.

- The design of the raised planter in United Reformed Square should prevent its misuse. A raised planter in the square adjacent to John Lewis, as seen in the photograph 1, is used as a large ashtray and an obstacle for skateboarders.

- The design incorporates double height colonnades along the elevation facing The Memorial Gardens. A robust management policy should be in place to combat any potential rough sleeper issue.

- Any benches should be designed to include arm rest dividers to prevent people from lying down or rough sleeping.

- The escalator and terraces, and the access to the basement restaurants should be secured during out of hours.

- I would fully encourage the management at Marks and Spencer to allow the proposed changes to Pratts Passage. Improved lighting, changes of landscaping in the Memorial Gardens to allow more sunlight, and increased access would make the area a more open, attractive place to walk through. This would increase the footfall and therefore reduce the fear of crime.

- The current Eden Walk car park has the Park Mark©, the Safer Parking Scheme accreditation, this should be continued for the refurbished public use car park.

- The design criteria for the residential car park should also follow the Park Mark© initiative, full registration for accreditation is not required for the residential car park.

- The basement walls and ceilings must have light colour finishes to maximise the effectiveness of the lighting as this will reduce the number of luminaires required to achieve an acceptable light level. Light finishes also assist CCTV. A good quality example of an underground car parking area can be seen at Battersea Reach.

- Vehicle access to the all basement car parks should be restricted by encrypted fob controlled roller shutters, unrestricted vehicle and non-resident access would not acceptable within Secured by Design.

- The residential pedal cycle stores appear to relate to each residential stair core, thereby limiting unauthorised access. Cycle stores must be securely caged with access control, and have appropriate CCTV coverage to provide identity images of those who enter and any activity within the space, this may mean multiple cameras depending on the design and size of the each storage area.

- Commercial and retail staff bike stores appear be separate to residential stores and have similar security furniture.

- Public and visitor cycle parks should be separate to residential and commercial staff cycle storage areas, be lit and covered by CCTV.

- All lighting across the development should be to the required British Standards, and meet the current council requirements. It should avoid the various forms of light pollution (vertical and horizontal glare), and should be as sustainable as possible with good uniformity.

- Bollard lights are not considered as a good lighting source for SBD purposes and architectural up lighting is also not included.

- SBD asks for white light as this aids good CCTV colour rendition and gives a feeling of security to residents, staff and visitors.

Metropolitan Police Counter-Terrorism – No objections details of the letter cannot be published in the public domain.

Elmbridge: No comments to make.

Greater London Authority (GLA): Stage 1 response – Require further information on affordable housing, child playspace, energy and density. Raise concerns regarding poor quality north facing single aspect rooms and excessively deep flats.

Supplementary Response following further information – Strongly Support the application.

Transport for London (TfL): No objection subject to conditions. They make the following comment and requested further information in terms of trip generation and highways impact.

- In terms of residential car parking – they recommend reducing the level of provision to a maximum of 0.2 spaces per unit.

- EVCPs, car club spaces and membership and exclusion from permits to be secured via S106.

- Improvements on the pedestrian improvements and car parking signage strategy to be agreed.

- Residential TP and Workplace TP to be secured through S106.
- Delivery & Servicing Plan, construction Logistics Plan and Car Parking Management Plan secured through condition.

Historic England Archaeology: No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and:

A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Sport England: No comments to make

Natural England: No objection Consideration should be given to the potential impacts on the nearby Thames Path National Trail. Appropriate mitigation measures should be incorporated for any adverse impacts.

Environment Agency: No objection subject to regarding contamination and piling

Recommend that the finished ground floor levels are set at a minimum of 300mm above 1 in 100 year (1%) flood level (including climate change).

Reason: Piling design needs to take account of the groundwater in the river terrace gravels and interaction with nearby surface waters, and also be designed in such a way as to avoid groundwater flooding in adjacent areas.

London Fire: No comments received

UK Power Networks: There should be no mechanical excavations taking place above or within 0.5m of a low / medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trials.

Plans and gas safety advice booklet should be passed to the person on site.

Safe digging practices must be used.

Transco: No comments received

Thames Water: No objections subject to conditions

Surface Water Drainage – it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. It is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the

developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Thames Water would like the following 'Grampian Style' condition imposed:

"Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed."

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer.

No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing.

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of fats, oils and grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel.

Existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Recommend the following condition:

"Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by the LPA. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point."

Network Rail: No objections

SITE AND SURROUNDINGS

1. The proposal site is 2 hectares and lies within Kingston Town Centre which is a designated Regional Centre in both the London Plan and the Council's adopted Core Strategy and Area Action Plan.
2. The site is previously developed land and is made up of what is currently Eden Walk Shopping Centre constructed in the late 1960s, Neville House and Millennium House. The red line boundary also includes Memorial Gardens and Pratts Passage. The application also seeks to retain the existing multi-storey car park which lies along the northern boundary of the site and is currently 14 storeys high and provides 697 public car parking spaces.
3. The site although private land allows public access through part opened part covered pedestrianised routes allow connectivity between the Old Market Place to the west and Eden Street to the east. The edge of the application site is its boundary with Union Street to the west and Eden Street to the south east
4. Although the development itself does not fall within a Conservation Area Memorial Gardens falls within the Old Town Conservation Area which is also consecrated ground. Any assessment of the application would need to have regard to impacts on the surrounding character and appearance of the conservation area.
5. As the application site lies within the centre of Kingston there are many Listed Buildings within the vicinity of the site. The ones that immediately adjoin the site are however the United Reform Church a Grade II listed building and The Old Post Office A also a Grade II listed building.
6. The site forms part of the 'Primary Shopping Area' of Kingston Town Centre and is identified as Site 1 in the Eden Quarter Development Brief.
7. The site is highly accessible within Kingston Railway Station within a 300m walk of the site with a wide range of local and sub-regional buses having stops on the adjacent Eden Street to the east of the site. The PTAL rating is 6/6a.
8. The River Thames is located approximately 250m to the west of the site and the site falls in both Flood Zones 2 and 3.

PROPOSAL

9. The application is for a mixed use development which is made up of the following
 - 380 Residential Units
 - 13,860sqm of Retail (A1 and A2)A41

- 4,178 sq m of Retail (A3-A5)
- 2,896 sq m of Leisure (D2 Cinema)
- 3,223 sq m of Office (B1a)
- 408 Public car parking spaces within a Multi storey car park
- 171 Residential Spaces within a basement car park
- 600 cycle parking spaces for residents
- 80 cycle spaces for commercial uses
- Retained shop mobility provision

10. The scheme is proposed to be constructed in three distinctive different buildings – Union Terrace Building, Eden Crescent Building and Neville Yard Building. Each building has its own architectural style and palette of materials.

Union Terrace Building

11. Adjacent to the Old Town Conservation Area, the Union Terrace building area begins the transition of both density and height across the Site. The Union Terrace building is located between two churches, the Everyday Church to the north, and the listed United Reformed Church to the south.
12. The building is pulled back from the Everyday Church to create a new area of public realm and a new route from Market Place into Eden Walk through an open street and Memorial Colonnade.
13. A second new public space – United Reformed Square – is framed by the United Reformed Church, with the south elevation of the Union Terrace building looking over and opening out onto this new south facing space on Eden Street.
14. This building has active frontage onto both Union Street and the central public space, retail units form the majority of the ground floor uses. Retail mezzanines predominately occupy the first floor. Flexible office and studio space is provided on Union Street which is also suitable for artist's workshops.
15. Residential apartments are proposed from level 2 to 6, rising to a height of 34.35m AOD. The two upper levels are set back from the surrounding streets, the United Reformed and Everyday Churches, and Memorial Gardens. A communal garden, including areas for play, is provided for residents at Level 2.
16. Union Street will retain the access and egress into the Multi Storey Car Park (MSCP), but with the circular ramp replaced by a more user friendly ramp which rises up through the building, and then crosses the Memorial Colonnade into the refurbished car park. A new, separate access and egress to the private basement car parking for residents will be provided on Union Street adjacent to the MSCP entrance and exit.

17. Union Terrace Building has active frontage on all of its elevations. The only break in the active frontage is formed by the access point to the car parks on Union Street.

Eden Crescent Building

18. The building follows the curvature of Eden Street. The ground floor frontages are entirely active on both sides, with retail units fronting both the central public space and Eden Street. Restaurants and cafes are provided on Level 2, with a covered dining terrace to provide a new dining environment.

19. The residential apartments are proposed from Level 2 to the upper levels of the building. The Eden Crescent Building is separated into three distinct cores, with A being the lowest due to its proximity to the United Reformed Church, and C being the tallest next to Eden Place, rising to 59.10 m AOD on the 16th level.

20. A communal garden, including areas for play, will be provided for residents at Level 4. Further roof gardens and green roofs have been designed to create functional amenity areas for residents of the Proposed Development. These roof environments will contribute to the sustainability and biodiversity of the scheme

Neville Yard Building

21. The Neville Yard building accommodates the existing MSCP, which will be radically remodelled to provide a town centre parking facility which meets modern day user's requirements.

22. The two upper levels of the car park will be removed and replaced with a boutique cinema, Winter Garden and the Sky Restaurant. The terrace to the restaurant and the cinema will provide panoramic views across Kingston accessed by a series of external covered escalators or scenic lifts.

23. The building will rise to 11 storeys and a height of 44.40 m AOD, with a communal Winter Garden for residents, including areas for play, at Level 8.

24. The ground floor, fronting onto Eden Street and adjoining M&S, will be activated by retail frontages which will include a major new store for Boots. Marks and Spencer's store will be retained with a remodelled frontage to tie into the new Eden Walk.

25. A common servicing basement will be provided for the entire development and will be accessed from Neville Yard (as at present) as part of the Neville Yard Building.

26. Above the ground floor retail uses will be further food and beverage units, office accommodation and residential units to clad the retained MSCP.

Places and Spaces

27. Roof gardens and green roofs have been designed to create attractive and functional amenity areas for residents. These green roof environments will contribute to the sustainability and biodiversity of the scheme and will enhance the quality of life for residents.
28. Pedestrian entrances for the commercial area will be from Eden Street and Union Street with the aim of ensuring greater accessibility between the Proposed Development and other retail and leisure premises in the Town Centre.

Memorial Gardens

29. Memorial Gardens will be re-landscaped to provide a space in the heart of the town centre. A new pedestrian route through Memorial Gardens will connect Eden Walk with the primary shopping area.
30. The War Memorial, a Grade II listed structure, will be repositioned within the Gardens with a new space for formal events such as Remembrance Sunday. The Gardens will continue to have green space and seating areas for quiet contemplation. The relocation of the Memorial will improve the legibility of the route between Memorial Square and Clarence Street and Eden Walk. The sensory garden will also be re-provided.

Memorial Colonnade

31. Memorial Colonnade will create a new double height covered route through Union Street Square to Eden Walk. This new street will have an active frontage and will link directly into the passageway adjacent to Thomas Cook to connect to the Market Place.
32. This route also offers a continuation of the Eden Crescent design treatment and some weather protection for pedestrians. Up lighting will be provided to create an environment designed for both day and night, and to identify the entrance to residential units in Union Terrace Building for residents.

Eden Circus

33. Eden Circus will create a flexible space of activity, for relaxing, meeting and for events. It will provide more open and attractive routes through the Site, complemented by a high quality public realm and new seating.

Eden Place

34. Eden Place will provide an improved public realm, fronted by high quality, active frontages to the eastern entrance of Eden Walk.

United Reformed Square

35. This new public square at the southern entrance into Eden Walk will provide a space for cafes and restaurants to spill out into the open air and a place for friends and family to sit, meet and socialise while respecting the setting of the United Reformed Church.

Union Street Square

36. Public realm enhancements will create a new square on Union Street linking Eden Walk with the Market Place. This square will connect the old and the new.

37. The application also includes a Listed Building Application for the relocation of the War Memorial a Grade II listed structure.

38. The application has been accompanied by an Environmental Impact Assessment (EIA).

Key benefits of the scheme

39. In accordance with the NPPF the Council needs to consider the benefits a scheme would deliver in terms of housing, jobs, economic investment. These are set out below.

- £400 million investment in Kingston Town Centre
- Creation of approximately 600 jobs
- Approximately 725 jobs during construction with opportunities for apprenticeships for local people
- 380 homes
- 39 starter homes which are purchased at a discount of 20% from the market rate in perpetuity
- 3,223 sq m of office space
- 28 retail units and 12 restaurants
- A Cinema
- A community office unit for local organisation or charities at discounted rent
- A community unit on Eden Street
- Significant investment in public realm improvements including works to Memorial Gardens

ASSESSMENT

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

- Principle of Proposed Development
 - Policy Context
 - The current policy context in Kingston
 - Kingston Council's Policy Programme
 - National Planning Policy
 - Proposed Mix of Uses

- Impact on Character and Heritage of the Area
 - Relationship of building with its immediate surroundings
 - Tall Buildings
 - Density
 - Impact on Heritage Assets including their setting
 - Townscape and Visual Impact Assessment
- Housing Quality and Mix
- Impact on Neighbour's Residential Amenity
- Highways and Parking
- Trees
- Sustainability
- Legal Agreements
- Other Material Considerations

BACKGROUND

40. The site falls within Kingston Town Centre and within the area covered by the Kingston Town Centre Area Action Plan (K+20). This plan provides a framework for future development and improvement within Kingston Town Centre. It states that over the period to 2020 there will be planned change and development to provide “new enhanced shopping, leisure, cultural, education and community facilities; new housing and jobs; new and enhanced public spaces; transport and environmental improvements”. K+20 identifies key areas suitable for change which can accommodate new development, enhance the town centre and extend its offer, while preserving its existing attractive character.
41. One key area is Character Area 1: Prime Shopping P2 South of Clarence Street, Eden Quarter which covers the application site. In this Character Area K+20 states that “The Council will work with land and property owners and developers to secure the comprehensive development and upgrading of this area, including partial redevelopment to provide high quality mixed-use development which should include
- High quality new comparison shopping facilities in an open street format with a mix of shop sizes, to the rear of the Clarence Street frontage, including the partial redevelopment of the Eden Walk Shopping Centre;
 - Retail related A2 and A3 uses;
 - Residential, including affordable housing, offices and community uses above the retail;
 - A landmark building towards the eastern side of the site;
 - Improved pedestrian links between Clarence Street and Eden Street, Clarence Street and Union Street and Eden Walk and Memorial Gardens;
 - Retention and enhancement of the shopmobility scheme;
 - Enhanced basement servicing;
 - Secure cycle parking;
 - Good quality links to public transport and public car parks;
 - Removal of the Eden Walk multi-storey car park; and
 - The site is within Flood Risk Zones 2 (medium risk) and 3a (high risk) and development proposals should accord with flooding policy.

Need for Redevelopment

42. The site was identified in the Area Action Plan in 2008 as a site for redevelopment 8 years on the site still remains the principal site within the town centre for redevelopment to ensure Kingston retains its status as a Regional Shopping Centre and the economic spend and visitors that this attracts. The need to consolidate and update the retail offer has also increased since 2008 since the opening of Westfield in White City, the redevelopment of Guilford Town Centre and the future opening of Westfield in Croydon.
43. The identified shortcomings of the centre today are
- Poor connections to the wider existing shopping area
 - More than 100m of blank dead frontage along Eden Street
 - A large number of retail units located in unattractive covered malls with low ceilings and a poor shopping environment
 - Poor public realm
 - Underused public spaces (Memorial Gardens)
 - Poor unit configuration, sizes, dated façades and limited retail mix
 - Lack of restaurant and leisure offer which then limits pedestrian footfall in the evening
 - Dated office accommodation
 - Underutilised and dead-space throughout the car park, poor access, tight car parking spaces
44. The applicant has also submitted evidence from retail specialists CBRE and Lunson Mitchenall regarding the retail and leisure demand in Kingston. The evidence states that Kingston has extensive and unsatisfied demand due to the limited stock which do not match modern retailers retailing requirements. In addition the increasing retail internet spend makes it more important for local centres to offer first rate shopping environments with leisure and dining opportunities which add value to the shopping experience.
45. The evidence goes on to state that Kingston also faces increased competition from other regional shopping centres such as Westfield London, which deliver better shopper experiences there is also significant new competition from Westfield redevelopment of the Whitgift Centre in Croydon. By comparison Eden Walk is a poor retail destination and has increasingly become a secondary location within the town centre at a time when retail brands are becoming more demanding of the environments around their stores. The store is now the opportunity to showcase and support their online sales. They are therefore now seeking fewer, higher quality locations and therefore Kingston needs to offer this environment to keep it on the list of locations that are 'brand positive' to the retailers.
46. The Eden Quarter Development Brief reiterates these concerns by stating that the "buildings are no longer fit for purpose for modern retail needs". The development is inward looking and the design of the existing buildings does not complement the rest of the town centre or animate the surrounding streets and there is a significant potential to better integrate it through redevelopment.
47. The key objectives for the site are:

- To re-provide, modernise and expand the existing retail and leisure capacity.
- To strengthen the existing east to west link from the Market Place, through Eden Walk to Eden Street and Fairfield Recreation Ground
- To strengthen the north to south link between Clarence Street and Eden Walk and the proposed department store on Eden Street
- To provide active frontage along all routes within Eden Walk and around its perimeter, facilitated by the basement servicing that already exists.
- To improve the setting of Memorial Gardens.
- To respect historic assets and character. New buildings must be appropriate in scale, materials and grain to their context.

Principle of Proposed Development

Policy Context

Central Government Advice

48. In March 2012 the National Planning Policy Framework (NPPF) was published and in doing so it replaced many documents including all Planning Policy Guidance Notes and Planning Policy Statements. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing Development Plan policies which have been prepared prior or close to the publication of the NPPF should be treated. Paragraph 215 of the NPPF applies which states that only due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.
49. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.
50. In addition to the NPPF advice in the National Planning Practice Guidance (March 2014) also needs to be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

National Planning Policy

51. Paragraph 6 of the National Planning Policy Framework states "The purpose of the planning system is to contribute to the achievement of sustainable development. International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations General Assembly defined

sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy Securing the Future set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

52. Paragraphs 7-14 of the National Planning Policy Framework state: There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:
- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
 - an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
53. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
54. For decision-making this means: approving development proposals that accord with the development plan without delay; granting permission unless: 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; or specific policies in this Framework indicate development should be restricted.
55. Paragraphs 56 and 60-66 of the National Planning Policy Framework require good design. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
56. Para 60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
57. Para.61: Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
58. Para.62: Local planning authorities should have local design review arrangements in

place to provide assessment and support to ensure high standards of design. They should also when appropriate refer major projects for a national design review. In general, early engagement on design produces the greatest benefits. In assessing applications, local planning authorities should have regard to the recommendations from the design review panel.

59. Para.63: In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.
60. Para.64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
61. Para.65: Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).
62. Para.66: Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.
63. In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For the Royal Borough of Kingston upon Thames the statutory development plan comprises:
 - The London Plan as Further Amended – March 2015
 - The Core Strategy – 2012
 - The Kingston Town Area Action Plan (K+20) – 2008
64. Sitting beneath these documents are a number of Supplementary Planning Documents which have all been adopted and form part of the Local Development Framework for the Royal Borough. These cover such topics as residential design, parking standards etc. The most recent and relevant of these for the current application is the Eden Quarter Development Brief – 2015.
65. In considering the policy implications of any development proposal the Local Planning Authority will assess each case on its individual merits, however where there may be conflict between policies in the existing Development Plan and policies in the NPPF careful consideration should be given to the advice in paragraph 142 above.
66. Policies in the Core Strategy and the K+20 documents can be given weight only insofar as they are consistent with the NPPF.
67. The London Plan as Further Amended 2015 can be assumed to be in accordance with the NPPF as it was examined and adopted after the NPPF came into effect.

68. In addition the Eden Quarter Development Brief has particular relevance having been adopted by the Council as recently as March 2015, and can be regarded as being in accordance with the NPPF.

The current policy context in Kingston

69. Kingston is a Royal Borough which has positively chosen its future. Its determination is to drive and shape what is achieved to the benefit of the whole Royal Borough. Kingston has fantastic fundamental strengths. Its determination is that the legacy passed on to future generations nurtures and sustains these strengths. This is what underpins the 'Kingston Futures' regeneration programme.

70. Kingston Futures is about the whole spirit with which we approach the future. Physical planning and regeneration, inward investment, growth and business opportunities are important parts of it but it is not limited to that. It is about everything the Council does.

71. The vision for Kingston as a Borough is where:

- People choose to live, learn, work, create and prosper.
- Business chooses to invest and grow.
- History and culture is cherished and celebrated.
- People have choices and have the confidence and skills to make those choices.

72. The Kingston Futures Vision and Strategy forms part of the Council's corporate policy programme and is supported by the statutory planning process including the Eden Quarter Development Brief SPD (adopted on 27th March 2015). The development brief sets the policy framework for growth in that part of the town centre, identifies appropriate uses for different land parcels, and also identifies where buildings of height will be appropriate. The Brief sets out three locations in this part of the town centre where tall buildings will be supported. One of those locations is the eastern end of the application site along Eden Street. In order to accommodate the significantly increased housing targets adopted in the Amended London Plan the Council has decided to concentrate development in limited areas of the Borough, one of which is Kingston Town Centre, and Eden quarter is a contribution to that increased growth. In addition it has been identified that the town centre is capable of accommodating additional retail growth. This is essential to retain the town's competitive edge as a Metropolitan Centre in the London Plan and to retain the vitality and viability of the town centre.

73. The Eden Quarter Development Brief includes five major development opportunities that are seen as key to delivering the Kingston Futures Vision for a vibrant and prosperous Kingston town centre. As detailed above the site is ranked number 1 as being the most important site to be delivered in the area covered by the brief.

74. It is important and essential that the consideration of this application is considered against the context of the proposed regeneration of this part of the town centre, and not the existing quality, appearance, character and density of the area.

Kingston Council's policy programme

75. Destination Kingston 2015-19 is The Royal Borough of Kingston's medium term service and financial plan, which sets out broad general policy and the Council's direction of travel over the coming years.

76. To quote from this strategic policy document: 'The Royal Borough of Kingston, including Kingston Town Centre will need to take its share of the projected increase in the capital's population and at the same time deliver benefits for our communities. As part of this background, Kingston Futures has been established to drive growth opportunities and lobby for infrastructure improvements by seeking external funding to deliver projects designed to facilitate residential and business growth. Kingston Futures have been working with the Greater London Authority to bring the borough 'opportunity' status. This will bring significant additional investment to high streets and shopping parades across the borough. By planning for growth in this way we can ensure that the Council takes a holistic approach to the additional infrastructure that will be required, including provision of new school places, health services and improved rail and bus services across the borough, as well as Crossrail 2. Around one third of the borough is protected green space, including parks and green belt. The Council's vision is not to allow Kingston to become a concrete jungle and are committed to protecting the green belt. Our choice is therefore to build 'out or up'.

Land Use

77. The proposal seeks to redevelop a brownfield site in Kingston Town Centre for a mixed use retail and residential scheme, Kingston Town Centre is identified as a Regional Centre and is a sustainable location for development and accords with the National Planning Policy Framework (NPPF) to secure economic development and housing delivery wherever possible.

Principle of Residential Development and Housing Land Supply

78. The London Plan March 2015 requires the delivery of 6,434 dwellings within the plan period 2015-2025 and a rate of 643 dwellings per year which is almost double the previous rate of 375 dwellings per year.

79. Core Strategy Policy CS10 (Housing Delivery) states that the Council will take full advantage of opportunities to deliver new housing and, in particular maximise the delivery of affordable housing. New housing should be delivered in the most sustainable locations, and with the associated infrastructure necessary to support it. Kingston Town Centre is one of the preferred locations for new housing, as are areas with the greatest Public Transport Accessibility Level (PTAL) and areas in need of improvement or renewal - both of which are relevant to the Eden Quarter. The Policy also states that the Council will seek to ensure that a broad mix of accommodation options are available to residents and that a range of local housing needs are met.

80. The most recent five year housing supply was published in the 2014 Annual Monitoring Report (AMR) - It demonstrates that housing capacity is 37% above the five year housing supply requirement. However, the Borough's increased annual housing target of 643 units per annum set in the Further

Alterations to the London Plan (adopted March 2015) could reduce this capacity due to increased need to deliver more housing. The Borough's annual housing target could increase further still, depending on whether the SHMA that is currently being prepared identifies a greater need for housing than that set out in the London Plan.

Retail use

81. The proposal would result in the net loss of 5,248sqm of retail (A1) floorspace.

Policy 2.15 of the London Plan states, in part C, that development proposals should:

- sustain and enhance the vitality and viability of the centre
- accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations
- support and enhance the competitiveness, quality and diversity of town centre retail, leisure, employment, arts and cultural, other consumer services and public services
- be in scale with the centre

82. Policy 4.7 of the London Plan states, in part B, that in taking planning decisions on proposed retail and town centre development, the following principles should be applied:

- the scale of retail, commercial, culture and leisure development should be related to the size, role and function of a town centre and its catchment
- retail, commercial, culture and leisure development should be focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres that are, or can be, well integrated with the existing centre and public transport

83. Policy CS12 of the Core Strategy states that the Council will maintain and enhance the attractive and distinctive character of Kingston Town Centre and its role as a sustainable Metropolitan Centre, through the implementation of the Kingston Town Centre Area Action Plan (K+20)

84. Policy DM20 of the Core Strategy states that the Council will consider applications for new retail development in designated centres favourably, in order to meet identified future needs and ensure accessibility by sustainable transport

85. Policy K1 of the AAP state that the Council will seek to provide 50,000sqm floorspace for comparison goods by 2016... through the promotion of new retail development (including on the Eden Walk Shopping Centre site) to enhance and extend the Primary Shopping Area, improve vitality and viability and meet the needs of retailers and catchment area shoppers to maintain

Kingston's retail role and status as a metropolitan centre and sub-regional shopping centre

- Seek to maintain the existing level of convenience goods floorspace
- Retain a mix of shop sizes within the Primary Shopping Area and require a mix of shop sizes within significant new retail development
- Grant planning permission for landmark new retail facilities, as part of mixed use development on Proposal Site P2, provided that it complements existing facilities and is fully integrated and well connected to them, so as to improve the retail circuit for shoppers

86. The site specific Policy P2 (Eden Walk Shopping Centre) seeks comprehensive development and upgrading of this area, including partial redevelopment, to provide high quality mixed use development, which should include:

- High quality new comparison shopping facilities in an open street format with a mix of shop sizes, to the rear of the Clarence Street frontage, including the partial redevelopment of the Eden Walk Shopping Centre
- Retail related A2 and A3 uses
- Residential, including affordable housing, offices and community uses, above the retail

87. The EQDB states that the Eden Walk shopping centre is part of the primary retail offer in Kingston Town Centre. However, the existing buildings are now dated and are no longer fit for purpose for modern retail needs. The Brief goes on to state that redevelopment of the existing Eden Walk Shopping Centre would deliver exciting new opportunities for Kingston. Objective 1 for Eden Walk is to re-provide, modernise and expand the existing retail and leisure capacity.

88. The proposal would result in the replacement of an outdated shopping environment in a key location within Kingston town centre with modern retail and leisure facilities. This would sustain and enhance the vitality and viability of the Primary Shopping Area, therefore also support and enhance the competitiveness and quality of the Kingston's retail offer as a Metropolitan town centre, which would also be in keeping with the scale of the centre.

89. The proposal site is designated within the K+20 as a strategic development site for uses that are in line with the proposal. However, the proposal would also result in a significant net loss of retail floorspace (-5,248sqm). Nonetheless, this net loss is mitigated by the non-retail town centres uses that would complement and enhance Kingston's retail offer, with there being a net increase in floorspace in terms of the overall retail and leisure capacity, in line with Objective 1 for Eden Walk within the Eden Quarter Development Brief SPD.

Loss of Office Space

90. The proposal would result in the net loss of 1,364sqm of office (B1(a)) floorspace.

91. Policy CS11 states that with its partners the Council will:

- build on the economic strengths of the Borough by promoting the development of a diverse and flourishing economy and ensuring that land and premises are available for both traditional industrial and office based employment activities (B1, B2 and B8 uses)
- promote the redevelopment, renewal and modernisation of existing office stock (which may include integrating office space and residential uses into mixed use developments)
- promote other key employment sectors such as retail, financial and legal services, leisure, culture, health, education, public administration and tourism and ensure that land and premises and appropriate infrastructure are available for these activities also

92. DM17 states that the Council will protect all employment land and premises in Kingston town centre to develop its role as a successful, sustainable Metropolitan Centre through the implementation of the Kingston Town Centre Area Action Plan (K+20). It goes on to set out three tests that need to be met - the second and third tests are relevant in this case.

Second test

93. Mixed use development schemes should not result in a net loss of employment capacity (floorspace and/or land) and should not compromise the viability of the site and/or its surroundings for employment purposes.

Third test

94. Residential use within mixed use schemes will not be appropriate where it would be incompatible with established employment uses, or prejudicial to the site's continued operation for employment purposes.

95. Policy DM18 states that the Council will consider applications for new employment development (of an appropriate scale) in designated employment locations favourably

96. Policy K4 of the AAP states that the Council will promote the town centre as an office and business centre and improve the quality and range of office and business accommodation by encouraging and supporting:

- development proposals that incorporate high specification B1 office space, in a range of unit sizes;
- the redevelopment and improvement of the existing office stock;
- the provision of workshop, studio, exhibition space and offices suited to the needs of the 'creative industries' sector.

97. Development proposals resulting in a net loss of B1 office floorspace will only be acceptable if office floorspace is re-provided as part of mixed-use development of the site, or the loss of the office floorspace is outweighed by the achievement of other K+20 objectives through the proposed development.
98. Overall, the EQDB promotes office use, but not focused on this site, but rather around the periphery of the wider Brief area.
99. Although the proposal would result in the net loss of employment floorspace, it would also result in a significant increase in jobs, therefore not resulting in a net loss in employment capacity. The location within Kingston town centre would enhance the viability of the site and surrounding area, with significant anticipated turnover expected as a result of the development.
100. The modernisation of the existing office stock would be likely to generate more interest from businesses to relocate to Kingston town centre. The proposal would result in a mixed-use development comprising a diversity of town centre uses, plus the creation of 385 new dwellings, therefore satisfying objectives 1 and 2 of the K+20, which are:
- to maintain a diverse and sustainable economy, providing for business and employment development needs with a wide range of employment opportunities
 - to enhance the quality and range of town centre uses and attractions and provide housing, including affordable housing

Other town centre uses

101. The proposal would result in the net loss of 689sqm of financial and professional services (A2) floorspace; the net gain of 3,438sqm of food and beverage (A3-A5) floorspace; and the net gain of 2,896sqm of assembly and leisure (D2) floorspace.
102. Policy 4.6 of the London Plan states, in part B, that developments should - *inter alia* -:
- be located on sites where there is good existing or planned access by public transport
 - be accessible to all sections of the community, including disabled and older people
103. Policy K6 of the AAP states that the Council will grant planning permission for proposals which enhance or diversify the range of arts, culture, entertainment, leisure and recreational facilities, subject to an assessment of the scale, character, location and impact of the proposal on existing facilities and residential uses
104. The Brief states that Objective 1 for Eden Walk is to re-provide, modernise and expand the existing retail and leisure capacity

105. The non-retail town centres uses help enhance the overall retail offer of the proposal, enhancing the vitality and viability of Kingston town centre, both as a shopping and leisure destination. The proposal site is also highly accessible with good public transport links. This would be in conformity with policy objectives and the Eden Quarter Development Brief SPD.
106. The proposal would result in a landmark development on a key strategic development site within Kingston town centre. It would enhance the vitality and viability of the site and surrounding area to help Kingston remain competitive as a Metropolitan centre. As such the proposal meets the requirements of London Plan Policies 2.15, 4.6 and 4.7; Core Strategy Policies CS11, CS12, DM17, DM18 and DM20; K+20 Policies K1, K4, K6 and P2; and the Eden Quarter Development Brief SPD.

Impact on Character of Area

107. The application proposes the comprehensive redevelopment of a brownfield site within Kingston a Metropolitan Town Centre.
108. Centres such as Kingston provide the opportunity for the delivering economic growth and housing delivery in sustainable locations with good access to transport and local services.
109. Eden Walk is bounded on two sides by Conservation Areas. To the immediate west lies Kingston Old Town Conservation Area and to the east is the Knights Park / Fairfield Conservation Area. The site is also surrounded by listed buildings.
110. The urban structure of Kingston has developed from an informal medieval market town. The primary urban structure of Kingston incorporates the Anglo Saxon East-west route over the River Thames, through Clarence Street and towards London in the east. From All Saints' all routes travel southwards through the Ancient Market Place and out towards Surrey.
111. The application site lies with the Prime Shopping Area as identified within the Council's Borough Character Study.
112. The Eden Quarter Development Brief (EQDB) states that one of the characteristics of Kingston is its varied roofscape which creates attractive townscape. New development schemes will be expected to achieve modulated and articulated rooflines to reflect this character.

Tall Buildings

113. Policy 7.7 of the London Plan states that tall buildings should;

- generally be limited to site in the opportunity areas, areas of intensification or town centres.
- only be considered in areas whose character would not be adversely affected by the scale, mass and bulk of a tall or large building.
- relate well to the form composition, scale and character of surrounding buildings, urban grain and public realm
- individually or as a group improve the legibility of an area
- incorporate the highest standards of architecture and materials
- have good ground floor activities that provide a positive relationship to surrounding streets.
- contribute to the permeability of the site and wider area
- incorporate publicly accessible areas on the upper floors where appropriate
- make a significant contribution to local regeneration

114. Tall buildings should not;

- affect their surrounding adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference
- impact on local or strategic views.

115. The Eden Quarter Development Brief (EQDB) provides guidance on heights that are likely to be considered appropriate across the sites within the Brief. It also identifies areas where tall buildings could be located to improve legibility and wayfinding. The application site is one of the areas where a building of 9 storey or higher is supported.

Density

116. Policy 3.4 of the London Plan seeks to optimize housing density, taking into account local context, character and public transport capacity. The site is classed as 'Central' in the Sustainable Residential Quality (SRQ) density matrix within the London Plan which states a density range of 650-1100 hrh and 215-405 uph (for schemes with 2.7-3.0 habitable rooms per unit). The Proposed Development will provide approximately 1,320 habitable rooms p/ha, or 505 units p/ha. If the calculation is done excluding the commercial site area, on the basis of the residential site area alone, the proposals provide approximately 773 habitable rooms p/ha, or 296 units p/ha. This falls within the range.

117. In determining whether a scheme is too dense however, the above is a guide as to what is likely to be appropriate. In order to sustain a reason for refusal in relation to density it has to be demonstrated that this would result in significant harm. The development therefore needs to be assessed against other criteria in Policy DM10 as to whether the density results in the development being out of keeping with the character of the surrounding area; would be detrimental to the visual amenities of the surrounding area or would result in the scheme not providing sufficient living or amenity space for future residents.

Layout and Design

118. Paragraph 56 of the NPPF states *that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. However, Paragraph 60 of the NPPF goes on to add that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.*
119. London Plan Policy 3.5 (Quality and design of housing developments) states that
Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies to protect and enhance London's residential environment and attractiveness as a place to live.
- 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 and older people.*
120. Policy DM10 states that new development proposals will be required to incorporate principles of good design and those elements that are identified as contributing to the character and local distinctiveness of a street or areas which should be respected, maintained or enhanced.
121. Policy DM11 states that the Council should take a more flexible approach to new development where the existing development lacks any identifiable or cohesive character and / or is located in a lower quality environment; in these circumstances it will seek a high quality development that creates its own distinctive character.
122. The scheme has undergone a Design Review by an independent panel of experts to provide a professional critique of the scheme. It is important to note however that whilst the critique is important the views of the panel have to be balanced out by other planning issues and therefore there may be areas where the Council does not agree with the approach suggested.
123. The proposals were reviewed by CABI on 3 September 2015, which showcased the design as it stood at the time. It was not the final scheme and therefore did not assess the height at 16 storeys or changes to materials.
124. Their response dated 17 September 2015 is summarised below:

- Redeveloping this site to provide a high-density mix of uses is highly appropriate. The project's main challenge is to configure the proposed mix of uses to create a new, appealing and characterful area within the town centre. This challenge is magnified by the substantial quantum of accommodation required by the project brief.
- The quantum of floorspace proposed is questioned, due to the scale of built form it is generating, the relatively limited public space created and the need to provide residents with an environment that supports good quality of life.
- The proposals to revitalize Memorial Gardens, with new and improved movement routes, and active frontages to its southern edge, are very positive. The new active frontages along Eden Street would also improve the existing thoroughfare.
- The arrangement of the other movement routes appears weak, for the following reasons:
 - The position of the southern route from the circus relates poorly to wider movement routes and partially duplicates the existing route along Union Street. Connecting to Ashdown Road and Brook Street would help people reach the site from the south-east and make walking through the development more natural. The Eden Quarter Development Brief SPD (March 2015) shows a more robust arrangement of urban blocks that appears more successful.
 - Effective urban connections are based on routes that intersect at angles of around 90 degrees, allowing circuits of all types to be possible in all locations.
 - The departure from movement routes derived from a more natural grid arrangement creates a somewhat inward-facing development, repeating one of the key weaknesses of the existing shopping centre.
 - The absence of a new route to the north between Memorial Gardens and Eden Street limits the ability of sites to the north to connect with this development when they come forward for regeneration.
- The circular form of the central space does not appear to work well in relation to the routes and built form surrounding it, generating some awkward angles in the new buildings. It appears that sunlight to the circus will be partially blocked by the new building to the south. A more ambitious approach to the public realm is suggested by creating an 'anchor space' that will attract people and activity. Looking up from the circus the complex arrangement of buildings and forms appears confusing. One element of this arrangement is the canopy over the dining space, which appears over-designed for its size.
- The large rectangular mass of the car park building sits uncomfortably with the homes added to its north-east side, and with the circular form of the public space to its south-west. A simpler, clearer set of architectural forms and features would create a calmer, more enduring place to live, work or shop in.
- If the existing multi-storey car park is definitely to be retained, CABE expected its form to be a design driver.

- The area around the United Reform Church could be exploited to a greater extent as it may well provide better conditions for a significant new public space, given its aspect and position in the wider movement network.
- Further attention should be paid to the junctions of old and new in the scheme; durable materials, simply and effectively detailed, will be an important contributor to the scheme's success.
- A tall building could work well in the location on Eden Street. A single tall building here would need to be a singular element, whose base, middle and top are visible and understandable from the public route from which it is entered. The tall building in the proposal for Eden Walk, however, rises from a larger body of mid- to high-rise built form and does not have a clear enough identity of its own..
- Positioning a more autonomous, elegant tall building at the end of a public route might help its role as a marker and a focal point make sense to people living in and using the town centre.
- The three-storey horizontal band that is the base of this block creates a datum that emphasizes the enormity of the built form. Overall, the tall building and the adjoining lower elements create an unduly imposing 'wall' onto Eden Street; a more successful approach would be to create individual buildings whose verticality is expressed more clearly.
- The bulky nature of the proposal also raises concerns in terms of mid- and long-distance views of the development, particularly given the fine grain of other parts of the town centre. A more singular tall building and a better defined skyline in the development would help the scheme sit more comfortably in its locality and would improve views from across the river.
- The proposed 'dwelling spaces' appear small in relation to the quantum of development and the number of future residents, workers and shoppers. New homes should have good access to private outdoor space
- The residential entrance indicated on South Crescent – recessed, with metal cladding – appears well-defined. However, as a place that will be home for hundreds of households, we are concerned that in general, the retail environment is being prioritized over a sense of privacy and domesticity for new residents. On Union Street, for example, it will be hard to create a comfortable domestic environment where there are two vehicle entrances, for retail servicing and residential parking.
- An effective environmental strategy for the operation of the buildings and spaces, a strategic approach to transport.

Impact on Townscape and Protected Heritage Assets

125. The development proposals involve consideration of the planning application for the redevelopment of the site and the listed building applications for the works to relocate the war memorial. In addition to the listed buildings on the site there are a number of heritage assets immediately around the site which should be

considered. It is also important to note as part of this consideration that part of the site (Memorial Gardens) is in Kingston Old Town Conservation Area.

126. The applicant has submitted a Townscape, Heritage and Visual Impact Assessment with the application. In accordance with an agreed set of views set out by the Council and Historic England.
127. There are therefore important heritage considerations to be addressed as part of these applications. It is important that Members fully understand these considerations and the statutory and policy tests to be applied in determining the applications.
128. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a duty on the Council in respect of listed buildings in exercising its planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the Council is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which the building possesses.
129. Section 72 of the same Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
130. These statutory duties need to be considered alongside the contents of the National Planning Policy Framework ("NPPF"), and accompanying National Planning Practice Guidance ("NPPG"). Paragraph 132 of the NPPF 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. The NPPF (paragraph 133) requires planning permission to be refused if there is substantial harm to or the total loss of a designated heritage asset unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or all of the criteria listed in paragraph 133 apply. Paragraph 134 states that where a proposal will lead to less than substantial harm to the significance of the heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
131. A key document in assessing the impact on historic assets is 'Historic England's The Setting of Heritage Assets' (Historic Environment Good Practice Advice in Planning: 3 March 2015). The guidance sets out 5 key steps which this document will use to inform the approach for the assessment of the proposed scheme. The five steps are;
 - 1) identifying the heritage assets affected and their settings,
 - 2) assessing whether, how, and to what degree these settings make contribution to the significance of the heritage asset(s),

- 3) assessing the effect of the proposed development on the significance of the asset(s),
- 4) maximising enhancement and minimising harm,
- 5) making and documenting the decision and monitoring outcomes.

132. Section 12 of the National Planning Policy Framework (NPPF) and accompanying National Planning Practice Guidance (NPPG) Conserving and enhancing the historic environment (updated 10.04.2014) requires planning permission to be refused if there is substantial harm or total loss to a designated heritage asset (paragraph 133) and goes on to state where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposals, including securing its optimum viable use. Paragraph 135 states that *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*
133. In relation to each of the relevant heritage assets an assessment has been undertaken of the extent of the harm which the proposal will cause to the relevant asset. In carrying out each assessment full regard has been given to the statutory duties referred to above and to relevant policy and guidance. In particular, full regard has been had to the considerable importance and weight to be given to the preservation of the relevant heritage assets.
134. In making each of these assessments consideration has been given to relevant case law, and in particular the decision in the Barnwell Manor case. In reaching their decisions on the planning application it is important that Members consider the analysis undertaken by officers in relation to these heritage considerations and that Members have full regard to the statutory duties which are placed on the Council under Sections 66 and 72 and the contents of the NPPF, as set out in the committee report.
135. It is also important that Members fully understand the specific terminology used in the assessment by both Council Officers and Historic England. The most critical test is whether “substantial harm” is caused by the development. Next is whether there is “some harm” caused but this is less than substantial harm and finally whether there is an impact which is not necessarily harmful and less than substantial harm.
136. Policy CS8 states that the Council will seek to ensure that new development recognises distinctive local features and character; has regard to the historic and natural environment and helps enhance locally distinctive places of high architectural and urban design quality.
137. Policy DM12 states that the Council will preserve or enhance the existing heritage assets of the Borough through the promotion of high quality design and a focus on heritage-led regeneration; allow alterations which preserve or enhance the established character and architectural interest of a heritage asset,

its fabric or its setting; ensure that development proposals affecting historic assets will use high quality materials and design features which incorporate or complement those of the host building or immediate area.

138. A number of buildings around the site have been identified as heritage assets whose settings could be affected. These include two adjacent conservation areas, The Old Town Conservation Area to the west and the Fairfield/Knights Park Conservation Area to the east; the Grade 1 listed All Saints Church; Grade 2* listed Kingston Bridge; Grade 2* listed Market House and other listed buildings in the Town Centre; key Grade 1-listed heritage assets outside RBK's boundary including Hampton Court Palace, Hampton Court Park, Bushy Park and Richmond Park.
139. In assessing this application, considerable importance and great weight has been given to the desirability of preserving the setting of heritage assets, including taking account of archaeological heritage where appropriate. Any impacts identified below will be given significant weight when considered against the public benefits of this proposal in the conclusion of this report.

The Old Town Conservation Area

140. The Old Town Conservation Area covers Kingston's historic core that is defined by a medieval street pattern and historic assets spanning numerous historic periods. It contains 37 buildings and structures that are Listed Buildings and 30 buildings are identified as Buildings of Townscape Merit. Its mixture of exceptional examples of various architectural styles between 2 and 4 storeys creates a fine grained and interesting townscape. Pevsner describes the area as the best preserved of its type in outer London.
141. Since the medieval period there have been numerous additions to the Old Town which have enhanced its setting. These positive changes have been as recent as early-20th century architecture, such as The Guildhall (1934-5). These additions contribute to the rich grain of the Old Town and form an important element in its setting.
142. However, the Old Town's setting has been eroded by unsympathetic development in the post-war period. The view south from the marketplace is affected by the council's post-war administrative buildings and the police station, which sit behind the Guildhall. They form an unsympathetic and harmful backdrop to the Ancient Market and Guildhall (Grade 2 listed). The conservation area's setting is harmed by this period of architecture. This period of unsympathetic development has created a significant amount of severance between assets. The post-war buildings lack permeability, visual interest and any sort of meaningful activation around a thoughtfully designed public realm.
143. Along the eastern edge of the conservation area, along Union Street the adjacent townscape will be completely altered. Memorial gardens, a feature of the conservation area, has been given a secluded setting through development of the existing Eden Walk Shopping Centre around its southern and eastern perimeter. This has both a positive and negative effect on the assets setting. In positive terms, it sets up a solid edge to the gardens and conservation area. It

also means they are secluded and, although one is in the centre of Kingston, there is a sense of tranquillity. However, the current built form is dated. This seclusion has led to an increase in anti-social behaviour and parts of the garden to fall into disrepair. Pratts Passage forms a negative edge to the frontage and is in urgent need of improvement.

144. The interface between the frontage on Union Street will be a considerable increase in intensification. The double height colonnade is a departure in scale from the ground-level street scene on the other side of the street. The bulkiness of the four storeys above the colonnade, together with the colonnade itself, is a would vary from the scale, massing and fine grain of the town centre. The public realm from the market place into the proposed scheme is made up of narrow, medieval streets. It can therefore be said that the interface at this point will affect the setting of the conservation area.

The Old Post Office Grade II

145. Since construction, the setting of the Post Office has evolved and was greatly changed in 1988 with the opening of Wheatfield Way and the associated realignment of the east end of Ashdown Road. This development fundamentally changed the setting of the The Old Post Office.

Setting

146. The Post Office provides architectural interest and considerable contribution to Eden Street's streetscape. The clear view down Eden Street, and its place on the corner, contributes to the setting of the building as it visually enshrines its civic importance. However, much of the existing setting of this heritage asset is not original and greatly detracts from the original significance of the building. The existing setting adversely affects the ability to appreciate the original significance of the heritage assets.

The United Reform Church Grade II

147. The United Reform Church dates from 1856 and is designed in a classical style. The listing describes its pale brick and stuccoed details. Of particular interest on the Eden Street elevation are the pilasters framing the 2 storeys of round-arched openings.

Setting

148. The Church's prominent position of the corner of Eden Street and Union Street affirms its civic importance. The Church's principal elevation is surrounded by paving on three sides. This gives the building a pronounced relationship with the street. However, this landscape treatment, particularly in front of the Eden Walk shopping centre, is poor.
149. While the existing Eden Walk Shopping Centre provides an unsympathetic setting in terms of its materiality and design, its scale and location allows the building to sit relatively independent of the adjacent buildings. Therefore, while the Eden Walk Shopping Centre does detract from the setting of the Church, it is tempered by its scale and massing.

The Fairfield / Knights Park Conservation Area

150. Fairfield/Knight's Park is an early suburb of Kingston Town Centre comprising houses of various sizes and designs dating mainly from the 1820s–1900 around Fairfield, a recreational open space since 1855. The original street pattern meant there was gradual transition of architectural styles between the Old Town Conservation Area and Fairfield/Knights Park Conservation Area. The area's major morphological change in recent history was the construction of Wheatfield Way, which involved the destruction of dozens of houses and cut a swathe through the original Victorian street pattern, severing it from Kingston Town Centre. The eastern edge of Wheatfield Way, which is the principal interface with this conservation area is an awkward mix of highway design, leftover stretches of poorly landscaped greenery and an approximately 2 metre high wall lacking integration with the town centre. Many of the existing taller buildings are visible from the edge and within this conservation area and from the Fairfield Recreation Ground and have an existing impact on the setting of this conservation area.
151. The town centre's main contribution to the setting of the conservation area is the civic and cultural contribution as the centre to which the suburb belongs, as opposed to a visual relationship. The scheme is physically separated from the CA by approximately 150m from its eastern edge. Thus, the scheme is principally experienced from the CA through its scale and massing in the middle or background.

All Saints' Church Grade I

152. All Saints' Church is a Grade 1 Listed heritage asset largely constructed within the 14C and 15C but it also includes a Norman chapel on the south side that forms part of the listing and are of special historic and architectural interest. The church has undergone a number of alterations, as recently as 1865. It is a cruciform church with a central tower and a four-bay nave, forming a landmark feature at the core of the historic town, and the key feature in several views within Kingston and from Hampton Court Palace. It is also a site of considerable historical importance that predates the construction of the church, being the location where several Saxon kings were coronated.
153. It is set within a lawned landscape, with several large trees, on both north and south edges of the Church. The Church has been historically contained within an urban block with buildings on three sides. There is a strong physical relationship with the Ancient Market Place through an articulated entry point onto the square via a modest, paved path.
154. The church's relative seclusion through the immediate townscape has acted as a buffer from large, relatively unsympathetic late-20c development that occurred within the Town Centre, particularly to the north. All Saints' Church's setting has been adversely affected by these developments through its unsympathetic scale, materiality and generally diminishing its prominence. More so than any development in Eden Quarter, it forms the defining backdrop to the church's setting.

155. The Church's broader setting is experienced from Kingston Bridge and the Hampton Court river bank. Regardless of the post-war development the Church can clearly be seen as a focal point for the Town Centre. This is an important element in the Church's setting as it is a visual representation of the Church's civic and historic importance in Kingston.
156. The scheme proposes an intensification of mass and scale that would form the backdrop of some of the key views from the Church. Presently this backdrop is of a low quality carpark beyond the treeline of Memorial Gardens. The new scheme is of a higher quality and similar scale and would be beneficial to this setting. The relationship between the Church and Memorial Square would not be diminished by the proposals either.

Kingston Market House, Grade II*

157. From its opening in 1840 the building was used as Kingston's Guildhall, until being replaced by the present Guildhall in 1935. It has a distinctive lead statue of Queen Anne above the entrance that predates the building and forms part of the listing. It sits in the middle of a paved marketplace in the Old Town Conservation Area and is an important element in the setting of the Ancient Market Place.
158. The critical aspects of the Ancient Market Place's setting are the view north from the southern entrance of the market place. The fine grain of the built form fronting the market place and the All Saints Church sets up an important layered background.

Kingston Bridge, Grade II*

159. Kingston Bridge serves as a primary link between Richmond and Kingston, and has done so at this location for centuries. Its listing describes its rusticated, stone arches and other architectural details as important elements in its design. The listing also noted that it was widened in 1914. It was also widened in 2000 in order to accommodate greater traffic movement, a fact not included in the listing. The widening of the bridge in order to intensify its use by cars has been detrimental to its setting. More broadly, the setting of the asset, on the Kingston side in particular, is defined by on-going riverside development.
160. The bridge's principal setting is the Thames. The river activity further enhances the setting as it connects the river's historic role in the area between past and present. Another key element of the setting is the contrast between the leafy environs of the back of Hampton Court Park on the western bank and Kingston Town Centre on the eastern side. It is this contrast that has defined the setting since the bridge's construction and continues to contribute positively today.
161. As people transition across the bridge from Hampton Wick the development appears in the backdrop of the town centre. It has minimal visual impact and no effect on the setting, as it forms a reasonable part of the built form of the town centre. It does not impede any existing views nor is it overly intrusive.

Other Listed Building in the Market Place

4 Church Street Grade II

162. A mid 19th century three storey house. The building is listed for its group value with other buildings on Church Street. These buildings contribute to the fine grain of the Old Town Conservation Area.
163. The building's principle setting is the front elevation on Church St. It forms part of the entrance to the Ancient Market. The view down the side of the building is ends at blank facade across Union St.
164. The scheme would not affect the primary elements of the buildings setting. The development would be visible down the passage, however the potentially activity this link would bring would bring minor benefit to the assets setting.

6,8 and 8a Church Street, Grade II

165. Late 16th century or early 17th century. Originally a public house, divided into three shops in the later 19th century.
166. The building's principal setting is the front elevation on Church St. It forms part of the entrance to the Ancient Market. The view down the side of the building is ends at blank facade across Union St.
167. The building's setting would be unaffected by the development.

14 and 16 Church Street, Grade II

168. Early to mid 19th Century. It occupies an important townscape location at the corner of Church Street and Union Street.
169. The building's main face is onto Memorial Square. It forms an important visual connection between All Saints' Church and Memorial Gardens. This role in the townscape is the most important part of its setting.
170. The proposed development is only just visible from peripheral views of the building. The scheme may be seen when looking obliquely across Memorial Square. The effect on the setting is negligible.

6-9 Market Place, Grade II

171. The building is listed for several features, the largest external feature being an altered three storey, four bay range that fronts onto the southern alleyway.
172. The principal setting is its relationship to the Market Place and how it sits within the fine-grain of this townscape.
173. There is no inter-visibility between this asset and the proposed development. Thus, there is no effect on the setting of this asset.

24-24a Market Place, Grade II

174. This is a 19th century building that varies between three and four storeys. It has two primary elevations between the Market Place and Church Street.
175. The building is primarily listed for the cumulative value with other buildings in the Market Place. Therefore the immediate group of listed buildings are the most important element of the asset's setting.
176. There is little visibility between the proposed scheme and this asset. Therefore there is negligible effect on the setting of this asset.

30 Market Place, Grade II

177. This is an early 19th century building, three storeys high and two bays wide.
178. As with other buildings in this area, it is primarily listed for its group value with other buildings in the Market Place. These buildings form the most important aspect of the asset's setting.
179. There is little visibility between the proposed scheme and this asset. Therefore there is negligible effect on the setting of this asset.

The Griffin Centre (Former Griffin Hotel), Grade II

180. This building is a 19th century former coaching inn and assembly room. The building is three storeys and has a long elevation along Market Place and the High Street.
181. Its setting is principally the Market Place, as it formed a key relationship from its historical role as a coaching inn. The relationship to the historic routes it would have sat on are still intact and contribute to its setting.
182. There is little visibility between the proposed scheme and this asset. Therefore there is negligible effect on the setting of this asset.

Shrubsole Memorial, Grade II

183. This is a marble statue dating from 1882 in memory of Kingston Mayor Henry Shrubsole. It was designed by F J Williamson. The statue is of a maiden carrying on urn on her shoulder and sits on a granite pedestal.
184. The building principal setting is the Market Place, where it retains its original location. The relationship to the Guildhall and Market House are also important.
185. There is no inter-visibility between this asset and the proposed development. Thus, there is no effect on the setting of this asset.

Druid's Head Public House, Grade II*

186. This is a Georgian Building with some 19th century amendments which also form part of its listing. The pilastered pub frontage at ground level sits below early to mid-18th century frontage above 5 bays. The building was originally a coaching inn.
187. Its setting is principally the Market Place, as it formed a key relationship from its historical role as a coaching inn. The relationship to the historic routes it would have sat on are still intact and contribute to its setting.
188. There is little visibility between the proposed scheme and this asset. Therefore there is negligible effect on the setting of this asset.

Hampton Court Palace and Hampton Court Park

189. Hampton Court Palace is a Grade I Listed Royal Palace. It is an exceptional example of Tudor architecture and one of only two surviving of King Henry VIII's palaces. It is a major tourist attraction. The estate, landscape and gardens of the palace are a unique, historical and horticultural resource of international value. The park covers 750 acres (304 hectares), the formal gardens 60 acres (26 hectares) and the palace buildings 6 acres (2.5 hectares). The Palace and Park back onto the Thames opposite the Royal Borough of Kingston's boundary. The palace itself sits south-west of Kingston Town Centre.
190. The Palace is designed as part of landscape, with both key views from certain rooms, and other informal views. Kingston has a place in both types of views; from the Palace and from the Grade I registered Park. In some places, such as the All Saints view, it is an important positive feature. However, much of the existing townscape has expanded dramatically since the Palace was constructed. Historic maps indicate much of the views from the Palace would have originally been open countryside. The relationship between this changing townscape and the Palace grounds does not, generally, diminish the setting of the asset. However, care will need to be taken over time to ensure change is not overly intrusive.
191. The important views from Hampton Court Park's Long Water, North Canal Gate, The Queen's Apartments and east park entrance are not impeded by the proposed scheme. Therefore, the proposal is considered to have no detrimental effect on the setting of these historic assets.
192. The view from Long Water east and the Old Ice House does show the development in the background, but is masked/ softened by the existing formal landscape and vegetation in the foreground. Other key views that form the total of the setting are unaffected.

Bushy Park

193. Bushy Park is a large Royal Park at 1,000 acres (445 hectares). It is immediately north of Hampton Court Palace and west/north-west of Kingston Town Centre and the proposed scheme. Its defining design feature is Chestnut Avenue, which

is axially aligned with Hampton Court Palace as intended to serve as a designed, grand approach. The next more important designed element of the park is the Lime Avenue, which sets up an axial view of the Diana Fountain (Grade 1) on an east-west axis. Much of the wider park is of a natural, rustic woodland character and contains important ecological features.

194. The view towards Kingston down the Lime Avenue is screened out entirely in summer and only slightly visible in winter. The winter context is so slight that the proposed scheme does not negatively affect the blue-sky setting on the park.
195. The views from Bushy Park show a dominant foreground of high quality large open space and densely planted areas, with the proposed development in the background within the context of other buildings including two buildings of a similar height to the proposal. If the landscape is to be removed or heavily managed, then the development might be exposed.

Richmond Park Grade I

196. Richmond Park is Grade I Registered and is an important Royal Park. The park itself contains several listed structures including the wall that encloses it. The edge of the park is clearly defined by large, mature planting. As with other Royal Parks, there is a sense of enclosure and demarcation from surrounding urban and suburban areas. However, there are important moments within the park where the undulating topography sets up key vistas across south-west London, including Kingston.
197. From these key views there are sweeping outlooks that take in the entire town centre. There is a strong sense of geographic separation as there is a line of mature planting, low-scale Victorian suburbs and then the distinct skyline of Kingston Town Centre. The skyline of Kingston is distinct in the sense the intensification of built form demarcates it as a town centre. The proposed scheme would sit within the existing townscape. Whilst Richmond Park was established by Charles I in the 17th century, it was the Victorians who established public access in 1872. Thus, the public's experience of the setting has always been a contrast between the urban/suburban areas that surround the park. The view of Kingston and its surrounding low scale built form have a positive effect in this sense.
198. From much of the park the proposed development would not be visible. However, where the scheme is visible it is not deemed to diminish the setting as it is reasonable to have this type of development within the existing townscape of Kingston. The views of the rural hills beyond London are unaffected. In many respects it is an improvement on the setting as the existing built form has little variation and the scheme would provide welcome variation to the existing datum level.

Kingston-Upon-Thames War Memorial Grade II

199. Following the response from Historic England regarding the lack of assessment of the effect on the War Memorial the applicant has provided further information regarding this asset.

200. Memorial Gardens were formally burial gardens opened in 1826. After its closure in 1855 it was laid out as a public garden. A map in 1865 shows a path running east to west in the centre of the grounds.
201. The Kingston Upon Thames War Memorial was inaugurated on 11th November 1923 and is positioned to coincide with the position of the original path. A later rearrangement of the memorial garden paths is shown on the 1955 map which sees the removal of the central cruciform paths with the retention of a simplified peripheral loop which limited access to the monument.
202. Whilst Richard Goulden designed the Memorial there is no evidence he had any input into its setting. It is also considered that the re-working of the routes through Memorial Gardens since it was erected have changed its setting from that in 1923 when it was erected. The significance of the setting is considered to be its relationship with Memorial Gardens and Memorial Square rather than a specific location within the gardens.

Housing Quality and Mix

Housing Mix

203. Policy 3.8 (Housing Choice) of the London Plan states that taking account of housing requirements identified at regional, sub-regional and local levels, boroughs should work with the Mayor and local communities to identify the range of needs likely to arise within their areas and in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors, including the private rented sector, in meeting these ensure that new developments offer a range of housing choices,
204. Policy DM13 requires all new major development to be delivered to a high quality and the most appropriate type including housing mix; adequate internal space standards; lifetime home and appropriate amenity space standards.
205. The development provides 35 units 3 bedrooms or more which results in a provision of 9% overall. The development provides the following unit sizes

Studios	9 units	2%
1 Bed	154 units	41%
2 Bed	177 units	47%
3 Bed	40 units	11%

Living Standards

206. Policy 3.5 of the London Plan sets out internal space standards for individual units. These have been superseded by the Nationally Prescribed Space Standards.

207. Residential Design Policy 13 of the SPD requires all units to be provided with 10 sq m of private amenity space either in the form of a garden or a balcony. SPD Policy Guidance 19 requires also new development to provide defensible space.

Children's Playspace

208. Policy 3.6 (Children and young people's play and informal recreation facilities) of the London Plan states that development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. The Mayor's Supplementary Planning Guidance *Providing for Children and Young People's Play and Informal Recreation* sets out guidance to assist in this process.

209. The Mayor's SPD sets a benchmark of 10sqm of useable child play space to be provided per child, with under-5 child play space provided on-site.

Affordable Housing

210. Policy 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes) of the London Plan states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes, having regard to:

- current and future requirements for affordable housing at local and regional levels
- the need to encourage rather than restrain residential development
- the need to promote mixed and balanced communities
- the size and type of affordable housing needed in particular locations
- the specific circumstances of individual sites.

211. Policy DM15 of the Core Strategy requires new development to provide 50% of the units as affordable and that this provision should also be on site.

212. The scheme does not propose any of the units to be affordable and therefore in accordance with Policy DM15 a financial viability assessment has been submitted with the application which has been independently assessed on behalf of the Council by a Financial Viability Assessor and Cost Consultant.

Impact on Neighbours' Residential Amenity

213. Policy DM10 states that new development should have regard to the amenities of occupants and neighbour in terms of privacy, outlook, sunlight / daylight, avoidance of visual intrusion and noise and disturbance.
214. Separation distances for new development are set out in the Council's SPD Residential Design Guide. Policy Guidance 16, 17 and 18 all deal with amenity requirements.
215. The applicant has submitted a Daylight / Sunlight Report in accordance with the BRE Guidelines to assess the impact of the development on surrounding properties.

Highways & Parking

216. Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Decisions should take account of whether:
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people; and
 - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
217. Paragraph 34 of the NPPF goes on to add that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework.
218. Furthermore, Paragraph 35 of the NPPF states that developments should be located and designed where practical to:
- accommodate the efficient delivery of goods and supplies;
 - give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
 - create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
 - incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
 - consider the needs of people with disabilities by all modes of transport.

219. Policy 6.3 (Assessing effects of development on transport capacity) of the London Plan states that:
- Development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Development should not adversely affect safety on the transport network.
 - Where existing transport capacity is insufficient to allow for the travel generated by proposed developments, and no firm plans exist for an increase in capacity to cater for this, boroughs should ensure that development proposals are phased until it is known these requirements can be met, otherwise they may be refused. The cumulative impacts of development on transport requirements must be taken into account.
 - Transport assessments will be required in accordance with TfL's *Transport Assessment Best Practice Guidance* for major planning applications. Workplace and/or residential travel plans should be provided for planning applications exceeding the thresholds in, and produced in accordance with, the relevant TfL guidance. Construction logistics plans and delivery and servicing plans should be secured in line with the London Freight Plan and should be co-ordinated with travel plans.
220. Policy CS5 (Reducing the Need to Travel) of the Council's LDF Core Strategy states that to reduce the need to travel, particularly by car the Council will locate major trip generating development in accessible locations well served by public transport including Surbiton, New Malden, Tolworth and Kingston Town Centres. Sites that have poor levels of accessibility by sustainable modes will not usually be considered suitable for development that could generate high numbers of trips.
221. Policy CS 7 (Managing Vehicle Use) of the LDF Core Strategy states that to manage car use to ensure sustainability, road safety and reduce congestion the Council will:
- support and promote the use of car share and car club schemes including expanding the network of on-street car club bays.
 - support the use of low emission vehicles including the provision of electric vehicle charging points.
 - implement traffic management measures to ensure highway safety, improve residential amenity and smooth traffic flow.
 - manage on and off-street parking provision to promote sustainability and residential amenity, whilst maintaining the economic vitality of the town centres.
222. Policy DM8 (Sustainable Transport for New Development) states that to support and promote the use of sustainable modes of travel to development sites the Council will:
- require all significant new development, including schools, workplaces and residential developments to develop and implement a robust and effective Travel Plan.

- prioritise the access needs of pedestrians and cyclists in the design of new developments and protect and enhance pedestrian and cycle access routes to, and where possible, through development sites, including the protection or enhancement of the strategic cycling and walking networks, as shown on the Proposals Map.
- require new development to provide facilities on-site for cyclists as appropriate, including showers, lockers and secure, convenient cycle parking, in accordance with minimum standards.
- require development to make a financial contribution towards sustainable transport improvements and initiatives in line with the Planning Obligations SPD/CIL.

223. Lastly, Policy DM9 (Managing Vehicle Use for New Development) of the LDF Core Strategy states that to ensure that new development does not contribute to congestion or compromise highway safety the Council will:

- require all major developments to submit a Transport Assessment based on TfL's Best Practice Guidance.
- require new development to comply with car parking standards and implement parking management schemes.
- require new development to provide car club and electric vehicle infrastructure where appropriate in accordance with minimum standards.

Highway Impact

224. The Site is located in a highly sustainable town centre location, represented by its excellent accessibility Public Transport Accessibility Rating (PTAL) of 6 / 6a. The London Plan and Core Strategy Policy CS6 promote sustainable modes of transport. The Site has an excellent PTAL rating, and the rich mix of commercial and residential uses will have excellent access by all modes of transport. More than 20 bus services route via Eden Street (adjacent to the development), providing a combined frequency of over 90 buses during the peak hour, giving an excellent level of service coverage around Kingston and the surrounding communities. The nearest rail station is Kingston, which is located approximately 300m to the north. This station is on the line between London Waterloo and Shepperton, and on the Kingston Loop Line, which links Kingston to Twickenham, Richmond and Putney. The line provides access to the Underground and Overground network at Wimbledon, Clapham Junction and London Waterloo. Approximately 11 trains serve Kingston during the morning weekday peak and 10 trains on Saturday between 12:00 and 13:00. The following table shows these services and frequencies The Site is well suited to the proposed increase in the quantum of floorspace, and the increase in shopping and leisure activity, combined with the introduction of 380 homes.
225. A Transport Assessment has been submitted with the application. The Transport Assessment identifies an increase in traffic flows as a result of the development, however, this increase is localised and largely due to the very low existing (baseline) flows on Union Street, where the access and egress to the car parks are proposed. The Transport Assessment concludes that the

proposals will not cause any significant adverse impact on the operation of the local highway network.

226. The Transport Assessment has also demonstrated the Proposal will cause no significant impact on the operation of the cycle network.

Car Parking

227. New developments should ensure a balance is met between promoting new development and avoiding excessive car parking that can reduce the use of sustainable travel (London Plan Policy 6.13).
228. Maximum car parking standards should be applied. Table 3.1 of the London Plan encourages lower car parking provision in areas with a high PTAL rating, which applies to Eden Walk.
229. The proposed residential car park is located within the extended basement underneath the Union Terrace building, accessed from Union Street. It provides 171 residential car parking spaces, at a standard of 0.44 spaces per unit.
230. Indeed Transport for London advise that a reduced parking provision of 0.2 spaces per unit, or be car free and not provide any residential car parking. This however would seriously restrict the demand for the housing, and render it unviable as it would not meet the need of many residents to have an on-site car park space. The Council agrees that residential parking should be provided.
231. 12 disabled car parking spaces are proposed for residents. This is below the guidelines set out within the Mayor's Housing SPG. The physical constraints of the basement limit the total available space for resident's car parking. The presence of the town centre's Shop Mobility scheme in Eden Walk will be available to residents, and this will enable any special needs of residents to be identified and provision to be made for them.
232. The number of electric vehicle charging points has been provided in line with the London Plan requirements, with 20% provision for both active and passive spaces. A total of 34 spaces are provided respectively meeting this provision.
233. The MSCP will provide 408 public car parking spaces, a reduction of 289 spaces from today's 697. This is within the guidelines set out within the London Plan. The Proposed Development also seeks to encourage the use of electric vehicles through the provision of electrical charging points as per the standards required in London Plan Table 3.3; providing 10% active and passive provision.
234. The Council's parking standards for commercial development are provided in Appendix 5 of the K+20. The maximum space standards are 1 space per 100 sq m for non-food retail, 1 space for 300 sq m for A3 / A5 & A5 and 1 space per 300 sq m for office provision. Leisure is based on an individual assessment. Based on these standards the requirement (based on GIA) excluding leisure is c. 163 spaces. On this basis, there are sufficient car parking spaces provided within the car park in terms of policy.
235. There is a reduction in the current parking provision. The Transport Assessment demonstrates that excess demand for the car park can be accommodated by alternative public car parks within Kingston Town Centre. An outline Car Park

Management Plan is submitted in support of this application to demonstrate how this loss will be mitigated.

236. At present, there are currently six Zipcar locations with a total of nine cars with three further cars a short walk from Kingston Town Centre.
237. Notwithstanding, the Applicant is proposing to provide a car club facility within the commercial car park for use by residents and visitors to the development. The facility will provide access to a car or van when it is needed without the need to own a vehicle and thereby avoiding the expense of taxing and maintaining the vehicle.

Pedestrian / Cycling and Wayfinding

238. There are currently only 22 cycle spaces in the vicinity of the Site. The Proposal will improve cycle parking provision and facilities across the redevelopment.
239. London Plan seeks secure, integrated and accessible parking facilities that should adhere to the minimum standards provided. Inner London requirements need to be met due to the high PTAL rating and Mini-Holland status of Kingston town centre.
240. The Proposal will provide 600 cycle parking spaces for residents within the basement which will be secure, covered and well-lit and managed.
241. 80 commercial staff cycle parking spaces will be located in the basement alongside shower and changing facilities for staff.
242. Further cycle parking for retail users will need to be provided across Kingston Town Centre. At present the Council under its Mini Holland Programme is looking to create a number of hubs in the Town Centre the scheme should provide funding towards these hubs to ensure the scheme can provide the spaces needed for users of the wider retail areas.
243. The walkway provision within the development will be significantly improved in terms of legibility, capacity for pedestrian flows and quality of the pedestrian environment. The improvements, particularly at the key mall entrance from Eden Street, which experiences high demands from people arriving by bus, and within Eden Crescent in the heart of the development, which is some 30% larger in area terms than currently.
244. A Pedestrian Comfort Level (PCL) analysis has been undertaken of the walkways within the development using a methodology advised by TfL. The analysis compares the pedestrian flows against the width of the walkway/footway available and assigns a PCL to this result on a scale of A to E, where A is the most comfortable for movement. The PCL meets and exceeds TfL's recommended level of B+. Furthermore the analysis shows that even if pedestrian flows would increase by 30%, the PCL would still be good, with a comfort level of B+. This level provides enough space for normal walking speed and some choice in routes taken.
245. London Plan Policy 6.10 sets out that new development should ensure high quality pedestrian environments and emphasise the quality of the pedestrian

and street space. This follows London Plan Policy 6.1 which sets out the strategic approach to transport.

246. Walking will be promoted by the improved public realm which provides a high quality environment both in and around the Proposed Development that emphasize the pedestrian and street space. These improvements are summarised below:

- o Memorial Gardens and Pratts Passage – the creation of a new direct link to the shopping centre from Memorial Square through Memorial Gardens and significantly improved pedestrian experience through Pratts Passage. This will be further enhanced by improved safety through better visibility and lighting.
- o Union Street (north end) and route to Ancient Market – high quality level surface in Union Street Square directly linking across to the passageway to link to the Ancient Market with new paving, planting and street furniture to create additional pedestrian space and reduce the impact of vehicular traffic on this area.
- o Union Street – new footway paving and improved access to Eden Walk car parks. Careful design of access to residential car park to maximise pedestrian and vehicle visibility and pedestrian experience past access points.
- o Eden Street (South) – new United Reformed Square proposed at the junction of the Union Way and Eden Street, providing significantly improved public realm and pedestrian space.
- o Eden Street (North) – expanded entrance mouth to Eden Walk providing significantly more space at this busy point. Increased footway width achieved by pushing building line back between the eastern mall access and existing frontage of Heals store. Footway buildout at new pinch point outside Neville House to mitigate loss of footway area due to stopping up required for building line extension.
- o Neville House Yard – provision of footway along south side of access, resulting in safer pedestrian environment and improved visibility for pedestrians crossing access. The access will be repaved.

247. It should be noted that a S278 Agreement will be required for these improvements to the highway.

Trees and Landscaping

248. Policy DM10 (Design Requirements for New Developments) of the Council's LDF Core Strategy states that development proposals should ensure landscaping is an integral part of the overall design of all new developments and that landscaping proposals are submitted as part of planning applications.
249. The application is accompanied by a detailed landscaping, public realm and lighting strategy.

Sustainability

Energy Efficiency

250. Policies 5.1 & 5.2 of the London Plan seek to achieve an overall reduction in London's carbon dioxide emissions through a range of measures including using less energy, supplying energy efficiently and using renewable energy, improving on Building Regulations targets by 25% in the period 2010-2013.
251. Additionally, Policy CS1 (Climate Change Mitigation) of the LDF Core Strategy states that the Council will ensure that all development (including extensions, refurbishments and conversions) is designed and built to make the most efficient use of resources, reduce its lifecycle impact on the environment and contribute to climate change mitigation and adaptation.
252. The proposal is targeting BREEAM Excellent. There are limited examples across the UK of new retail development being rated as Outstanding. Since 2008, there have only been 7 retail developments that have been scored as outstanding and of these only 4 have been confirmed through final stage accreditation. 6 of these developments are new Waitrose stores and one is a new John Lewis store. The limited number of retail schemes being rated as outstanding shows that it is very difficult to obtain.
253. The achievement of BREEAM Excellent will meet sustainability objectives at both the Policy and British Land's Corporate level. BREEAM sets the standard for best practice in sustainable building design, construction and operation. Achieving a BREEAM Excellent score demonstrates the commitment to sustainable practices.
254. The Proposed Development has been designed to target a 35% reduction from 'regulated emissions' Building Regulations Part L 2013 in accordance with the London Plan (Policy 5.2), which seeks to ensure proposals make the fullest contribution to minimising carbon dioxide emissions.
255. The 35% reduction will be reported against a Part L 2013 baseline, from where the design Energy Hierarchy set out in Policy 5.2 will be adopted:
- o Be lean: use less energy;
 - o Be clean: supply energy efficiently; and
 - o Be green: use renewable energy.
256. The scheme will integrate a plant room, containing a Combined Heat and Power (CHP) engine(s) with highly efficient gas fired boilers feeding into a central thermal store. Heat exchangers will be provided in the dwellings to connect to the pipe network.
257. The Proposal proposes to take the burden of energy consumption off the national grid by using CHP and communal centralised heating networks. The CHP will charge thermal stores and distribute heat around the development, providing up to 80% of the site's total heat energy consumption. These accord with the NPPF (Core Planning Principle 10), the London Plan (Policy 5.6) and RBK's Core Strategy (Policies DM1 and DM2).

258. There are no existing district heat networks within the Town Centre. While it is noted that Council has an implementation plan for a district heat network in the future, at present no site has been identified as a proposed energy centre within the network. Capped connections for future provision are provided within the plant room to future proof connection to any future network, in line with best practice and planning policy.
259. In line with the London Plan (Policy 5.9) it is proposed to reduce the need for active cooling as far as possible by employing mitigation measures such as good thermal insulation and air tightness. Shading is also provided to windows from the presence of balconies on dwellings above which provide solar shading during the summer months but also allow for beneficial winter solar gains. For the commercial units, natural ventilation is not possible therefore energy efficient forms of cooling will be adopted supplied by the centralised energy centre.
260. In addition, 100% of all fixed residential lighting will have dedicated low energy LED fittings and heat, cooling and electricity meters will be supplied to all tenanted areas, as well as display energy meters in all dwellings.
261. The Energy consultants have tested a range of renewable technologies for inclusion within the scheme in accordance with the London Plan (Policy 5.7). The inclusion of solar photovoltaic (PV) has been concluded as the most appropriate technology for inclusion in the scheme. It is proposed that PV panels are mounted on the roof tops. The array of PV panels measure approximately 116m² to provide additional on-site energy generation.
262. The design includes the incorporation of extensive green roofs and green walls in order to enhance biodiversity, provide accessible roof space and amenity for residents as well as improving the appearance and resilience of the building.
263. The roofs also incorporate sustainable urban drainage system (SuDs), including storage of water on the roofs known as a blue roof system, with a controlled outlet to the public surface water drainage system.

Ecology

264. The site is not subject to any statutory or non-statutory nature conservation designation.
265. Policy 7.19 (Biodiversity and access to nature) of the London Plan states that development proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.
266. Policy DM6 (Biodiversity) states that the Council will:
- ensure new developments protect and promote biodiversity as part of sustainable design, through the inclusion of sustainable drainage, tree planting, soft landscaping, habitat enhancement and/or improvement, green roofs and new or improved semi-natural habitats, where appropriate
 - require an ecological assessment on major development proposals, or where a site contains or is next to significant areas of habitat or wildlife potential.

267. An Extended Phase 1 Habitat Survey and a Daytime Bat Survey of the Site, undertaken in June 2014, considered the Site to be of low ecological value and on almost entirely urban developed land (Appendix 2.4 of the Environmental Statement).
268. The Shopping Centre buildings and trees within the Site were surveyed from the ground to identify any features for roosting bats and for any signs of bat activity. The buildings are assessed to have negligible suitability for roosting bats and no evidence of bat roosts was discovered. The trees in the Memorial Gardens did not support any features that could provide bats with a suitable roost.
269. It is therefore considered that the development *would not have* an adverse effect on biodiversity, subject to conditions securing the above mitigation measures, and is therefore in accordance with Policy DM6 of the Council's adopted Core Strategy.

Environmental Considerations

Flooding and Surface Water Drainage

270. Development proposals must comply with the flood risk assessment and management guidance set out within the NPPF (Paragraphs 100-104), London Plan (Policy 5.12), Core Strategy (Policy DM4) and K+20 (Policy K24) which state that developments must pass the sequential and exceptions test.
271. The Site is shown on the Environment Agency (EA) detailed Flood Zone map as lying within two flood zones. The southern part is within Flood Zone 3 'High Probability' and the remainder is within Flood Zone 2 'Medium Probability'. The flood risk is fluvial and arises from the Hogsmill watercourse. The Site is also within the floodplain of the River Thames; however the Hogsmill is the dominant flood risk.
272. The supporting Flood Risk Assessment demonstrates that the Proposed Development satisfies the Sequential Test and is permissible providing that the two part Exception Test is passed.
273. The first exception test is that the development provides wider sustainability benefits to the community that outweigh flood risk. These benefits are described in this Planning Statement.
274. The second part of the Exception Test is also passed - the site is safe for its lifetime, and flood risk elsewhere will not be increased. This is achieved through the following mitigation measures:
- o Raised ground floors and where appropriate, ground levels;
 - o Defending the basement with a combination of permanent water exclusion measures and temporary defences (flood resistance);
 - o Safe access from the Site in the event of a flood affecting the area to a place of safety within Kingston;
 - o A sustainable surface water drainage system, including green and blue roofs, attenuation storage below ground and a controlled gravity discharge to the public surface water sewers;

- o Use of the EA warning service for flooding for the Hogsmill and the River Thames, providing ample time for evacuation in advance of a flood event; and
- o Preparation of a Flood Risk Management Plan to formalise safe access routes and will form part of the overall Emergency Plan (London Plan Policy 7.13).

275. The Environment Agency has no objections to the proposal and recommends a condition regarding the implementation of the mitigation measures and the ongoing maintenance. The Council's Flood Risk Officer has also made comments on the surface water attenuation methods which would also be addressed by the imposition of this condition.

276. The development would not result in adverse effect on surface water flooding and therefore is in accordance with Policy DM4 of the Council's LDF Core Strategy 2012.

Land Contamination

277. Paragraph 120 of the NPPF states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

278. Nevertheless, Paragraph 121 goes on to add that planning policies and decisions should also ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- adequate site investigation information, prepared by a competent person, is presented.

279. A Phase 1 Ground Condition Report was commissioned for the Site (June 2014) (Appendix 2.5 of the Environmental Statement). The Report sets out that the Site as existing predominantly consists of hardstanding associated with the buildings, roads, walkways and a grassed area (Memorial Gardens).

280. The Report sets out that there are not considered to be any significant site-wide current or historic on-site potential sources of contamination. Nevertheless, the potential for asbestos and pollutant linkages have been identified. It is considered, however, that any risks identified can be managed and reduced to an acceptable level through a combination of mitigation and adoption of good practice measures through construction. The Report recommends that intrusive investigations are carried out post demolition to ascertain whether any residual contamination is present on site and to identify any risks and proposed mitigation.
281. The Council's Environmental Health Officer has reviewed the assessments submitted and has no objections subject to conditions.

Noise Impact

282. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution.
283. Paragraph 123 of the NPPF goes on to add that planning policies and decisions should aim to:
- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
 - mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; and
 - recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.
284. Policy DM10 (Design Requirements for New Developments) of the Council's LDF Core Strategy states development proposals should have regard to the amenities of occupants and neighbours, including in terms of noise and disturbance.
285. Chapter 9 of the Environmental Statement sets out an assessment of noise and vibration as a result of the Proposed Development in relation to demolition and construction activities as well as the operation of the completed development.
286. Following project completion, changes to road traffic flows around the Site are expected to produce a negligible change in noise levels.
287. Noise from ground floor shops units and associated servicing is expected to be negligible with the implementation of noise limits and restrictions secured by planning conditions, licensing and lease agreements as well as tenant's handbooks.
288. Whilst creating a new range of uses and an exciting environment for visitors, these mitigation measures will protect the amenity of residents.

289. The Council's Environmental Health Officer has reviewed the information submitted and has no objections subject to conditions. The application is therefore in accordance with Policy DM10 of the Council's Core Strategy 2012.

Air Quality

290. London Plan Policy 7.14 provides strategic guidance, seeking to minimize exposure to existing poor air quality and make provision to address local problems.
291. Air Quality has been addressed within the Environmental Statement (Chapter 8 and Appendix 8.1). Construction phase impacts are not considered significant when appropriate mitigation measures are applied through a Construction Environmental Management Plan. Mitigation measures will include damping down surfaces during periods of dry weather and ensuring that construction vehicles are cleaned before leaving the site with potentially dusty loads covered.
292. During operation of the Proposed Development, odour from commercial kitchens will be appropriately mitigated to protect the amenity of housing within the Site. This mitigation will depend on the size of the kitchen and the type of food being prepared which is not currently known. The use of this mitigation will mean that the effect on housing amenity is unlikely to be significant.
293. Air quality at proposed housing receptor locations within the Site, in accordance with Core Strategy Policy CS1, is acceptable for housing development without the need for mitigation, including those receptors in proximity to the energy centre (combined heat and power) emissions.

Microclimate

294. The London Plan (Policy 7.6) states that development should not cause harm to the amenity of surrounding land and buildings including wind and microclimate. In addition, the London Plan (Policy 7.7) states that tall buildings should not affect their surroundings adversely in terms of microclimate and wind turbulence. There are no specific RBK or NPPF policies relating to this; however, it is recognised this falls under the principles of good design.
295. An assessment has been made of the likely significant effects of the Proposed Development on the Site and surrounding area in respect of the wind microclimate which can be found in Chapter 12 and Appendix 12.1 of the Environmental Statement.
296. A wind tunnel modelling exercise was undertaken to assess the wind microclimate for pedestrian comfort around the proposed Eden Walk Shopping Centre.
297. This assessment has been undertaken in conformity with The Lawson Comfort Criteria, which has been established for around thirty years and is widely used on construction projects across the UK. This Criteria grades conditions around the Site with reference to the desired pedestrian use at each measurement location.
298. With the introduction of proposed landscaping and wind mitigation, all locations in and around the site are considered suitable in terms of pedestrian safety, throughout the year and for all phases of construction.

299. The majority of locations are considered comfortable for the intended use with the introduction of proposed landscaping and wind mitigation. There are a small number of areas that remain marginally unsuitable in terms of pedestrian comfort during the various construction stages and for the completed project. However, these locations only just fail the testing parameters, and only during winter / spring months. They are acceptable for all other times of the year.

Legal Agreements

300. Policy IMP3 of the Core Strategy states that the Council will use Planning Obligations to secure financial contributions to meet on and off site requirements which are required to support and mitigate the impacts of the development in accordance with the Council's SPD on Planning Obligations.

301. On the 1st November the Council commenced the operation of a Community Infrastructure Levy (CIL) which is means of collecting monies to provide local infrastructure to offset the impact of developments. Local CIL replaces S106 as a mechanism for collecting contributions for local infrastructure e.g education and health with the exception of affordable housing which will still be dealt with by way of a S106 agreement.

302. In addition the development would also be liable for Mayoral CIL at a rate of £35/m2.

Other Material Considerations

Archaeology

303. Paragraph 128 of the NPPF states that in determining applications, where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

304. The site lies within an Area of Archaeological Significance. Chapter 10 of the Environmental Statement assesses the effects of the Proposal in respect to the historic environment and is supported by a Historic Environment Assessment.

305. With much of the Site having been subject to modern development, the assessment considers that any archaeological survival potential is predicted to be localised, and probably limited to the edges of the Site or any areas which have shallow or no basements.

306. From the information available about the previous archaeological excavations within the Site, it is likely that most if not all archaeological remains and palaeoenvironmental deposits were removed in the areas affected by redevelopment in the 1960s and later. There is a slightly higher survival potential in the area of Neville House in the north-eastern corner of the Site and the piled but not basemented south-western corner of the Site (possibly not affected by the 1970s groundworks).
307. The archaeological potential is therefore considered to be generally low for the prehistoric to medieval periods, with possible moderate potential for palaeoenvironmental remains at depth and localised post-medieval remains. The exception to this is the post-medieval parish burial ground located in the Memorial Gardens, at the north-west corner of the Site.
308. Any surviving remains are likely to be of no higher than medium significance. It is possible that the only development impacts outside the Memorial Gardens would come from deep excavations such as the construction of basements or piled foundations.
309. Within the Memorial Gardens the landscaping proposals would only have shallow impacts and MOLA have already concluded a series of trial pits in the Memorial Gardens and have established that the proposed Memorial Garden's landscape works are achievable without impacting upon any below ground remains.
310. Historic England have been consulted on the application and agree with the findings of the Desk Based Assessment and recommend conditions.
311. The development is unlikely to have an impact on heritage assets and therefore is in accordance with Policy DM12 of the LDF Core Strategy April 2012.

Waste

312. Waste management for the residential development needs to be addressed with a collection strategy in line with Policy Guidance 22 of the Residential Design SPD.
313. The Site is currently serviced by the basement service yard accessed off Neville Yard. Servicing of the commercial elements of the scheme will continue to be from the basement service yard, which significantly reduces the impact of vehicles loading from the streets around the development. The service yard will have eight servicing bays, all able to accommodate articulated vehicles and smaller delivery vehicles. The yard will be managed efficiently and safely by the centre management team. The servicing provision for the development will be further enhanced by the provision of a new loading bay within Neville House Yard which will facilitate deliveries to the residential units away from the street network.
314. The accompanying Delivery and Servicing Plan confirms there will be minimal change to the current servicing arrangement for the existing Shopping Centre.
315. The Waste strategy has, however, been revised from existing to incorporate the collection of residential waste and the change in quantum. Residential waste will be

taken from the residential units to the basement service yard where it will be stored for collection. This means that no bins will need to be stored on or collected from the street network, which is significant benefit of the strategy.

Education Impacts

316. Policy DM23 of the Council's Core Strategy requires new residential development to contribute to education provision in accordance with guidance in the Planning Obligations SPD of CIL charge.

Health Impacts

317. Policy DM21 of the Council's Core Strategy requires that all major developments must submit a Health Impact Assessment (HIA) as part of their application to assess the positive and negative effects of a development.

Cumulative Impact

318. Paragraph 24 of the National Planning Policy Guidance (NPPG) states that local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development.
319. Chapter 6 of the EIA sets out all sites within 1km of the site that have been approved and awaiting completion. It also takes into account the development on The Old Post Office site which has recently been approved.