



UNION 4 PLANNING

Sunny Day Trading Ltd

139-143 Station Road, Hampton, TW12 2AL

Section 73 application to amend
conditions approved through planning
consent 19/2087/VRC

PLANNING STATEMENT

December 2019



UNION4
PLANNING

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CONTENTS PAGE

EXECUTIVE SUMMARY

1.0 INTRODUCTION

2.0 SITE LOCATION AND CONTEXT

3.0 PROPOSED DEVELOPMENT

4.0 PLANNING POLICY CONTEXT

5.0 PLANNING CONSIDERATIONS

6.0 SUMMARY AND CONCLUSION

EXECUTIVE SUMMARY

This Planning Statement has been prepared by Union4 Planning on behalf of Sunny Day Trading ('the Applicant') and supports an application submitted under Section 73 of the Town and Country Planning Act 1990 (as amended).

The Section 73 application proposes the variation of an existing section 73 planning permission granted on 28th November 2019 under Planning Ref 19/2087/VRC.

This Section 73 application is seeking to amend the existing planning permission to incorporate a series of minor variations to the plans, which have emerged further to post-consent detailed design work. This evolving design process is not unusual and such improvements and efficiencies are regularly sought following planning consent.

A comprehensive list of the proposed amendments is set out in Section 3 of this Planning Statement. The proposed amendments do not impact to any material extent on the design or scale of the approved buildings and are all minor in their nature.

In terms of physical changes, the proposals include some minor amendments to the pedestrian walkway along the eastern side of the building and some alterations to the position of doors at the rear of the Station Road building, accessing the walkway and cycle store.

The application also seeks an amendment to 2 further conditions relating to BREEAM and the permitted use of the ground floor commercial unit.

1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by Union4 Planning on behalf of Sunny Day Trading ('the Applicant') and supports an application submitted under Section 73 of the Town and Country Planning Act 1990 (as amended).
- 1.2 The Section 73 application seeks to vary the existing s73 planning permission to make a series of minor material amendments to the scheme. More specifically, we are proposing the variation of Condition U0073081 (approved drawings) to provide for a revised set of plan drawings as well as amendments to the wording of conditions U0073067 (BREEAM) and U0073073 (Commercial unit use).
- 1.3 In addition to this Planning Statement, the application comprises the following:
- Application Form and Certificates;
 - Plan Drawings;
 - Application Fee.
- 1.4 The plan drawings submitted as part of the Section 73 application are set out in the following table:

Drawing Number	Drawing Title
6034 (20) 100 Rev P5	Proposed Ground Floor Plan
6034 (20) 403 Rev P5	Proposed Elevations CC and DD
6034 (20) 404 Rev P5	Proposed Elevations EE and FF
6034 (20) 000 Rev P3	Site Location Plan

Structure of this Planning Statement

- 1.5 This Planning Statement comprises the following structure:
- Section 2 provides an overview of the application site's location and description, including details of the site's relevant planning history;
 - Section 3 describes the proposed development;
 - Section 4 sets out the policy context pertaining to the proposals;
 - Section 5 outlines the planning and environmental considerations, which we would submit are pertinent to the determination of the Section 73 application;
 - Section 6 provides a summary and conclusions.

2.0 SITE LOCATION AND CONTEXT

- 2.1 The subject site is located on the southern side of Station Road and comprises a car repair and MOT garage (Alderson's Garage) and a period door and fireplace showroom/workshop (Peco of Hampton).



Source: Google Maps

- 2.2 Alderson's Garage benefits from off-street/on-pavement parking in front of the unit, which spills across in front of the Peco unit to the east.
- 2.3 The units and workshop space to the rear spans between Station Road to the north, and Oldfield Road to the south. Whilst there is an ancillary workshop space associated with Peco, the most recent Inspectors decision found that the Peco unit was a retail showroom and not an employment use.
- 2.4 The on-site buildings are a collection of ad hoc temporary units and extensions, covering almost the entire site, with the exception of an area of hardstanding at the Oldfield Road frontage, forming a hard-surfaced yard area. Gates onto Oldfield Road enclose this area, which is used predominantly for storage. At the Oldfield Road frontage, a two-storey pitched roof building presents a gable onto the road and runs up the western boundary of the site.
- 2.5 The rear of the site, including this yard area, as viewed from Oldfield Road is indicated on the following image.



Source: Google Maps

- 2.6 The Station Road frontage is single storey in height and extends to the rear to cover the majority of the site. This again forms a poor quality frontage and a poor arrival point for the station. The garage element includes a corrugated plastic canopy, projecting forward from the single storey painted brick garage building.



Source: Google Maps

- 2.7 All buildings on the site are in a poor state of repair and are of unattractive ad hoc construction, with no respect for the general pattern of development and urban form in the area.
- 2.8 Hardstanding areas to both the front and rear elevations are used for car parking and serve to create a poor public realm and setting for the street scene.

- 2.9 The neighbouring building to the west of the application site is a detached 2.5 storey residential property with a large roof area. Neighbouring to the east and in line with the general character of Station Road, is a 3 storey building comprising residential units above ground floor commercial. Directly opposite, on the northern side of Station Road, is a 3 storey residential building and the station entrance.
- 2.10 Further east, along Station Road, the character comprises predominantly 4 storey residential buildings in the form of blocks of flats.



Source: Google Maps

- 2.11 The character of Oldfield Road, especially to the east of the application site, is predominantly 2 storey detached and semi-detached residential properties with on street or driveway parking.
- 2.12 It is this area, adjoining the site to the east and south, which lies within the conservation area and features a better quality of design, albeit still displaying a range of building styles and materials.
- 2.13 This includes a flat roof building directly opposite the rear of the application site, not dissimilar to the form of the proposed mews block.





Source: Google Maps

Planning History

- 2.14 From a review of the Councils website and previous documentation associated with recent appeals, it is clear that the site is subject to a number of historic planning applications. Those of relevance are detailed as follows:
- 2.15 **06/2759/FUL** – Demolition of garage and erection of 10 flats over four commercial units. Refused.
- 2.16 This scheme comprised development of just the Station Road block, to provide a 4 storey building, as per the following elevation. The scheme also included vehicular access under the building to a rear parking court providing 5 parking spaces.



- 2.17 The proposal was refused with 9 reasons for refusal, as follows:

- Incongruous and out of scale overdevelopment of the site, by reason of design, bulk and excessive height.
- Loss of employment floorspace.
- As employment floorspace is lost, units would be required to be affordable.
- Unneighbourly form of development, by reason of excessive height, resulting in overlooking, noise and disturbance.
- Exacerbate the existing on street parking shortage.
- Lack of appropriate s106 contributions.
- Inadequate pedestrian and vehicular access.
- No wheelchair access.
- Under-provision of 1 bedroom units at 20%.

2.18 **13/0821/OUT** (52-54 Oldfield Road) – Demolition of existing buildings and erection of a pair of semi-detached dwellings (Outline). Refused 05.03.14.

2.19 This proposal comprised redevelopment of the rear part of the site only fronting Oldfield Road, with the elevation to Oldfield Road as follows:



2.20 The application was refused with 5 reasons for refusal, as follows:

- Loss of employment floorspace
- Unacceptable design, height and lack of detailing
- Overbearingness and loss of light to No.50 Oldfield Road
- Lack of off street parking
- Failure to meet Code Level 3

2.21 **13/0822/OUT** (139-143 Station Road) – Demolition of existing buildings and erection of a building comprising retail space on the ground floor and 8 apartments above (outline). Refused 26.02.14.

2.22 Again this proposed redevelopment of the front part of the site only, fronting Station Road, comprising complete site coverage and zero off street parking. The frontage onto Station Road was as follows:



2.23 The proposal was refused for 6 reasons, as follows:

- Loss of employment floorspace
- Unacceptable siting, design, height, scale and relationship with adjoining properties
- Overbearingness and overlooking on Nos. 48 and 50 Oldfield Road
- Lack of off street parking
- Absence of a transport statement
- Failure to meet Code Level 3.

2.24 **15/2316/OUT** – Demolition of existing garage and workshop and construction of ground floor offices with flats over on three floors with associated car parking, cycle, refuse and recycling storage. Application refused 20.07.16.

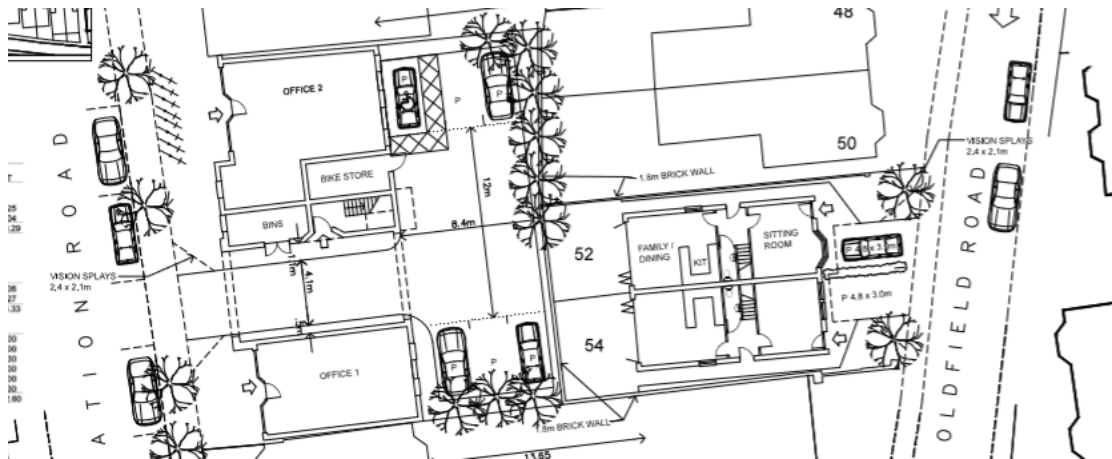
2.25 This proposed redevelopment of the whole site, with built development at the front, facing Station Road, and car parking to the rear, onto Oldfield Road. The elevation onto Station Road was as follows:



2.26 The application was refused for the following reasons:

- Partial loss of employment floor space;

- Failure to provide off street parking for the proposed office units;
 - Absence of evidence to demonstrate the proposal is sustainable;
 - Impact on the street scene;
 - Overbearingness and overlooking to Nos.48 and 50 Oldfield Road.
- 2.27 The refusal was subsequently appealed under appeal reference APP/L5810/W/15/3137700, which was dismissed in April 2016.
- 2.28 The Inspector found that the premises were dated and offered redevelopment potential and that the condition of the building to the rear and unsightly yard was regrettable. It was also considered that the wider area around the appeal site as generally pleasing in appearance.
- 2.29 It was however determined that the frontage building as proposed would be too large and dominant in its context and would lack interest and variation at roof level. The proposal also lacked design cues from the vicinity.
- 2.30 It was also considered that the arrangement on Oldfield Road would be unacceptable, with a crossover spanning the entire frontage, end on parking, refuse storage and hardstanding being out of keeping with a suburban residential street and the Conservation Area context of the neighbouring land. Greater consideration of visual amenity and local character was required.
- 2.31 It was considered that the development, extending right up to the southern boundary of residential properties on Oldfield Road, would result in these neighbours feeling hemmed in, given the proximity and height of development.
- 2.32 With regard to the local economy, it was considered that any loss of physical employment floorspace would not be detrimental and would provide for greater levels of employment when compared with the existing uses. As such, this was discounted as a reason for refusal.
- 2.33 **16/3097/OUT** - Demolition of existing garage/workshop and retail showroom; construction of ground floor offices with six flats on two floors over and two cottages all with associated car parking, cycle, refuse and recycling storage (outline application to consider layout and access).
- 2.34 The scheme included development of the whole site, but with built development at the front and rear, fronting onto Station Road and Oldfield Road. It also included vehicular access through from station road and courtyard parking for 6 vehicles to the rear. Off road forecourt parking was provided for the two properties fronting Oldfield Road as follows:



2.35 Proposed elevations to Station Road and Oldfield Road were as follows:



2.36 As the application was not determined within the statutory timeframe, the applicant submitted a non-determination appeal. This was dismissed for the following reasons:

- Loss of employment floorspace
- Insufficient amenity garden space for Oldfield Road properties

2.37 Importantly, the Inspector did find the following in this most recent appeal decision:

- The showroom/ancillary workshop element is not employment floorspace, thus existing employment floorspace (garage) at the site amounts to 180sqm.
- A loss of employment floorspace may be acceptable if replacement is of a better quality
- Current uses on site are low density
- Built form and height is acceptable
- Non-provision of parking for the commercial element is acceptable, given the accessible location
- There is no requirement to provide affordable housing or a contribution towards this

2.38 Consent was granted for the neighbouring development to the east in December 2008 for demolition of the existing building and erection of a new building comprising ground floor commercial (flexible use B1/A1/A2) and two floors of residential flats above.

- 2.39 In reference to flexible use and loss of employment floorspace, the officers report confirmed that additional commercial floorspace would be provided when compared with the existing situation and whilst this could be occupied by an A-class use and result in lower employment levels, this was not considered to be of concern or contrary to policy EMP4. It was also considered that the design of the rear elevation would not detract from the character of the Conservation Area.
- 2.40 **18/2695/FUL** - Consent was sought for the demolition of buildings on site and construction of a single block on Station Road, comprising 7 flats above 253sqm of B1/D1 floorspace and a separate mews building at the rear of the site, comprising 2 x 2-bed houses.
- 2.41 Following concerns raised by officers towards the end of the application process, the application was withdrawn to allow for an amended scheme resubmission.
- 2.42 **18/3804/FUL** - Following withdrawal of the above application, scheme changes were incorporated and submitted as a new application, addressing previous concerns. This application was approved by planning committee and a decision issued on 14th May 2019.
- 2.43 This scheme has now been implemented through the demolition of existing buildings on site.
- 2.44 **19/2087/VRC** – following approval and implementation of the above application, it became apparent that a number of minor scheme amendments were required, thus a s73 application was submitted and subsequently approved in November 2019. The approved changes comprised the following:
- 1) relocated access door to pedestrian passageway, from rear of building,
 - 2) addition of 2 additional access doors at Station Road frontage,
 - 3) internal alterations to layout of 2 x 1 bed flats in Station Road building- switching living rooms and bedrooms around,
 - 4) addition of ensuite bathroom to recessed area at first floor, serving the rear 2-bed mews house,
 - 5) relocation of velux window in rear roof of Station Road building,
 - 6) alteration to fenestration pattern at Station Road frontage to facilitate above internal layout changes,
 - 7) reduction in height of rooftop access structures of Station Road building,
 - 8) increased balustrade height on mews building,
 - 9) removal of rear window at first floor of the mews building and replacement with inset brickwork
- 2.45 This current s73 application therefore seeks to amend the recently approved s73 consent.

3.0 PROPOSED DEVELOPMENT

3.1 The summary description of the proposed development is as follows:

"Section 73 application for proposed variations to planning permission 19/2087/VRC seeking amendments to pedestrian walkway and access, BREEAM requirements and the permitted use of the ground floor commercial unit".

3.2 The Section 73 application is seeking to amend a number of conditions attached to the existing planning permission to incorporate a series of variations, which have arisen further to detailed design work on the scheme. A comprehensive list of the proposed variations is set out below.

3.3 The proposed scheme changes are as follows:

- Amendment to pedestrian passageway along eastern side of the building and access to this passageway
- Amendment to wording of condition U0073067 (BREEAM) to amend requirement to 'Very Good'
- Amendment to wording of condition U0073073 (Light Industrial Use Only) to add B1a to the permitted uses of the ground floor commercial unit

Physical Changes

3.4 It is proposed to open up the eastern elevation at ground floor level, serving the pedestrian passageway, replacing the solid wall, with a series of pillars. The 30cm gap between the application building and its neighbor to the east is retained, thus essentially the passageway will be open to the east and also, to a degree, open above (beyond the overhang of the 1st floor of the proposed building above).

3.5 The southern section of the pedestrian walkway is also opened up, with the railings removed between the walkway and the car park and the access door relocated further east, nearer the bike store, which retains its own access off the walkway.

3.6 There is also a minor change to the entrances to the 2 x mews buildings, with both of these being widened to ensure compliance with Part M4(2).

3.7 In order to incorporate the above variation to the ground floor layout and eastern elevation, a revised set of plan drawings is being provided as part of the Section 73 application. In this regard, we are proposing the variation of Condition U0073081 of the existing planning permission (Planning Ref: 19/2087/VRC) to read as follows (changes in bold):

'The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable.

6034 (20) - 111; 6034 (20) - 410; **6034 (20) 100 – P5**; 6034 (20) 101 - P4; 6034 (20) 102 - P4; 6034 (20) 103 - P4; 6034 (20) 402 - P4; 6034 (20) 403 – **P5**; 6034 (20) 404 – **P5**; 6034 (20) 405 - P4. Received 4th July 2019'

BREEAM Condition Amendments

- 3.8 Condition U0073067 concerns BREEAM for non-housing, requiring the commercial part of the development to achieve a BREEAM rating of 'Excellent'.
- 3.9 Having reviewed the implications of this, it has become apparent that 'Excellent' is not viable and would require a comprehensive redesign of the scheme. As such, we hereby seek amendment to the wording of the condition to require 'Very Good', as follows:

*'The development hereby approved shall achieve BREEAM Rating **'Very Good'**; in accordance with the terms of the application & the requirements of the BREEAM Guide (or such national measure of sustainability for design that replaces that scheme).'*

- 3.10 This element of the proposal includes no physical amendments to the approved development.

Ground Floor Commercial Use

- 3.11 The application seeks the variation of condition U0073073 to allow a more flexible use of the ground floor commercial unit, currently restricted to light industrial B1c use. The change is considered only minor-material as it would retain the employment functions of the unit (greatly increasing employment density) and result in reduced amenity impacts, in terms of noise and delivery movements, when compared to the consented use.

- 3.12 It is therefore suggested that the condition be re-worded as follows:

*'The business units shall be used only for/as **B1a (Office) and/or B1c (Light industry)**; and for no other purpose; as specified in the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision revoking or re-enacting that order'*

- 3.13 The previous s73 approval permitted the additional access doors at the station Road frontage, serving the commercial unit, so there will be the ability to subdivide the ground floor units into small office units for SME's and start up firms as necessary.

4.0 PLANNING POLICY CONTEXT

Introduction

4.1 This section considers the planning policies and legislative framework, which together provide the context against which a planning application would be considered. It identifies those national and local policies which are contained within statements of Government policy or the development plan for the area, or which otherwise may be material to the consideration of the proposed development.

National Planning Policy Framework (February 2019)

4.2 The National Planning Policy Framework (NPPF) sets out the Government's strategic planning policies and how these are expected to be applied.

4.3 The NPPF sets out the economic, environmental and social planning objectives at the national level. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

4.4 The Framework contains a number of general policies of relevance. It introduces a presumption in favour of sustainable development. With regard to decision making on applications, Paragraph 11 states that local authorities be 'approving development proposals that accord with an up to date development plan without delay'.

4.5 Paragraph 68 stresses the importance of small and medium sites in meeting housing requirements and requires that authorities identify at least 10% of their housing need to be delivered on sites of less than 1ha.

4.6 Paragraph 80 adds weight to the need to support local economic growth and productivity.

4.7 Section 9 seeks the promotion of sustainable transport, with paragraph 103 directing development towards accessible areas and paragraph 104 supporting an appropriate mix of uses on site.

4.8 Paragraph 108 requires that appropriate opportunities to promote sustainable transport have been taken up and that any impacts on the transport network have been mitigated.

4.9 Paragraph 109 states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or impacts on the road network would be severe. Paragraph 110 prioritises pedestrian, cycle and public transport movements ahead of the private car.

4.10 Paragraph 121 states that local authorities should take a positive approach to applications for alternative uses of land, including supporting housing on retail and employment land where this does not undermine economic sectors or town centre viability.

4.11 Section 12 concerns design with paragraph 124 stating that good design is a key aspect of sustainable development.

- 4.12 Paragraph 127 requires development that will add to the overall quality of the area, display good architecture, layout and landscaping, are sympathetic to local character, establish a strong sense of place and optimise the potential of the site.
- 4.13 Paragraph 131 states that great weight should be given to outstanding or innovative design which help raise the standard of design in the area.
- 4.14 Paragraph 189 requires a consideration of heritage assets and their settings, including the positive contribution that development can make to heritage assets.

The Development Plan

- 4.15 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning decisions must be made with reference to the statutory Development Plan first, and all decisions must accord with the provisions of the plan, unless other material considerations indicate otherwise.
- 4.16 The statutory Development Plan for the Site comprises the recently adopted London Plan and the London Borough of Richmond upon Thames Local Plan.

[London Plan \(2016\)](#)

- 4.17 Policy 3.5 requires that housing developments are of a high quality and should protect and enhance London's residential environment. Policy 3.8 requires a range of different homes that Londoners can afford.
- 4.18 It is important to note the emerging London Plan which is currently undergoing consultation. This removes the residential density guidance, further promotes development by public transport links and significantly increases the Boroughs housing target from 315 to 811 units per year, requiring the local authority to identify a much larger number of sites for residential development.

[Richmond Upon Thames Local Plan \(2018\)](#)

- 4.19 The new LBRuT Local Plan was adopted in July 2018, superseding the Core Strategy and Development Managements Policies DPD. Those policies of relevance are as follows:
- 4.20 Policy LP1 concerns Local Character and Design Quality, requiring development to retain and enhance the high-quality character and heritage of the Borough. A key facet of this is to make best use of land, whilst respecting building heights and spaces between buildings.
- 4.21 Policy LP8 concerns Amenity and Living Conditions, requiring development to protect amenity for neighbouring and new occupants alike. Development should respect daylight and sunlight levels, avoiding overlooking, visual impact, noise and disturbance and enclosure.
- 4.22 Policy LP20 concerns Climate Change Adaptation, requiring development to be resilient to climate change in order to decrease the vulnerability of both people and property. This includes minimising heat generation and providing shading and ventilation.

- 4.23 Policy LP22 concerns Sustainable Design and Construction, requiring that development achieves the highest standards possible. The policy seeks a reduction in water usage, BREEAM Excellent for non-residential uses, a reduction in carbon dioxide emissions, the installation of low NOx boilers and decentralised energy networks where practical.
- 4.24 Policy LP24 concerns Waste Management, requiring that waste is managed in accordance with the waste hierarchy to reduce, re use and recycle where possible. Waste and recycling provision must be made as an integral part of the scheme.
- 4.25 Policy LP40 concerns Employment and local economy, supporting a diverse and strong local economy and requiring land in employment use to be retained as such. Residential development in mixed use schemes should not impact on the continued operation of employment uses.
- 4.26 Policy LP42 concerns Industrial Land and Business Parks, presuming against the loss of industrial land and requiring redevelopment of such sites to provide an equal or greater quantum of employment floorspace. The justification for this policy states:
- 4.27 'The term 'industrial land' referred to throughout this policy covers land used for general industry, light industry, warehouses, open storage, self storage, distribution and logistics and other similar types of employment, as well as any other uses which fall within the B1c, B2 or B8 Use Classes or are considered to be Sui Generis'
- 4.28 Any loss of employment floorspace will only be permitted where it is demonstrated that there is no longer demand for an industrial based use. In this scenario, office and other employment type uses will be acceptable.

5.0 PLANNING CONSIDERATIONS

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise.

5.2 This section assesses the planning considerations that we consider relevant to the planning application.

5.3 The changes hereby sought are all minor in nature and will have no material impact on the appearance of the building or its impact on the streetscene or neighbouring amenity, assessed as follows.

Physical Changes

5.4 The proposed physical changes to the buildings are minor in nature, with the widening of the access points to both mews houses simply proposed to ensure wheelchair accessibility and compliance with Part M4(2) of the building regulations, as per condition U0073074. Externally, these changes will be barely perceptible and will have no impact on the bulk and scale of the development.

5.5 The changes to the Station Road block will open up the pedestrian walkway along the southern and eastern side of the building, removing the unnecessarily enclosed route from the car park through to Station Road.

5.6 Removal of railings from the southern section of the walkway will improve the appearance of the rear elevation of the building and reduce the sense of enclosure for residents using the walkway. The security gates are still provided, ensuring only residents can use this access, but are located to areas where they are necessary, reducing the length of the corridor. The gates will be constructed of metal railings, thus retaining the feeling of openness and allowing views into and out of the walkway.

5.7 Whilst the eastern and southern sides of the walkway will be open, the overhang of the first floor above ensures that users are protected from the elements.

BREEAM Condition

5.8 This application is supported by a follow on to the BREEAM report completed by Cudd Bentley pre-planning. The supporting letter from MNE Building Services Ltd identifies those credits that were included in the planning stage BREEAM report, which it has become apparent are now not achievable.

5.9 It is considered that given the size and nature of the development, a level of 'Very Good' is acceptable, in line with the score originally proposed in the planning stage BREEAM submission.

Ground Floor Commercial Unit

5.10 The purpose of planning condition U0073073 was to retain the industrial function of the site, following cessation of the B2 car garage use, however it was discussed at the time of the application that firstly

there was no demand for B1c uses in the area and secondly, a B1c use would not be compatible with the residential nature of the upper floors.

- 5.11 The change hereby sought is minor in nature and retains the potential for industrial use of the commercial unit, should demand arise, however adds greater flexibility to the permitted use through the introduction of B1a employment generating office use.
- 5.12 From a review of employment density guidance, a B1a office use could generate in the region of 21 jobs, when compared to the limited B1c use, which would generate just 5-6 jobs.
- 5.13 Whilst a B1a occupation would result in the loss of the ability to introduce industrial floorspace, it is clear from the accompanying market appraisal, that there is not the demand for industrial land and premises of this nature, in this area. On this basis, without a more flexible use at ground floor, the commercial unit will remain vacant, as others have in the vicinity of the site.
- 5.14 It was apparent through the application process and at committee that local residents are concerned about vacant commercial units provided as part of new developments in the area, that have never been occupied nor have been of interest to prospective tenants. This is a point that was reflected in a number of neighbour comments received in relation to the original application and are a consideration for this application.
- 5.15 The market appraisal identifies nearby industrial business parks purpose built for B-class use, confirming their benefits to small scale units within residential areas, such as parking and maneuvering space and accessibility to the major road network, in line with the requirements of London Plan policy.
- 5.16 The appraisal report contains a list of vacant industrial space within just 4 miles of the application site, amounting to almost 300,000sq.ft. Regarding a similar sized unit, also being marketed by the authors of the appraisal, which is considered a more attractive proposition for an industrial use, they have received little to no interest from industrial occupiers over 6 months.
- 5.17 Whilst this planning submission does not benefit from 2 years of unsuccessful marketing, as per the policy requirement, it is clear from the advice of the Marketing Agents that it would be in all parties best interests to change the use now and secure a tenant and considerable employment provision, rather than delaying for another 18 months with a vacant unit, prior to changing the use.
- 5.18 There has been firm interest in use of the premises for B1a office purposes and it is understood that a tenancy could be agreed and the unit occupied as soon as completed.
- 5.19 The proposal simply seeks additional flexibility of use for the commercial unit, whilst still retaining the option for light industrial use. It does not remove the employment function of the unit and in fact offers a wider employment option that would facilitate a higher density of job-creation.
- 5.20 It is considered that industrial uses are most suitable for larger, designated estates, which are much better suited to accommodate industrial processes and associated vehicle movements, especially those within LSIS and SIL locations.

- 5.21 In addition to the above, given the residential nature of the area and the approved apartments immediately above, a B1a office use would be far more suitable, in terms of noise and vehicle movements, when compared with a light industrial use.
- 5.22 It is therefore considered that local residents would welcome a more flexible consent for the unit.

6.0 SUMMARY AND CONCLUSIONS

- 6.1 It is considered that the proposed variations to the existing planning permission are all minor and represent sustainable development.
- 6.2 The changes have all come about following ongoing detailed design work and it is not unusual for such changes to be sought following the grant of planning consent. None of the changes will have a detrimental impact on the appearance of the building, or residential amenity.
- 6.3 The minor physical changes improve the usability and general feel of the development, removing unnecessary railings and reducing the length of the pedestrian walkway, whilst still ensuring secure entrance and secure cycle storage. The widening of the mews house entrances ensures wheelchair accessibility.
- 6.4 A BREEAM score of very good is a positive achievement for this scheme and is the highest rating possible, without significant redesign requiring additional planning consent.
- 6.5 Increasing the number of employment use options for the ground floor unit will significantly increase the chances of this part of the building being occupied quicker and to a greater economic benefit. Employment numbers associated with an office use far exceed those associated with the current permitted B1(c) use, which, as discussed above, is unlikely to attract an occupier, as companies seek purpose built, accessible sites with servicing space.
- 6.6 The previous MOT and retail showroom uses employed just a handful of staff and it is considered that not only does an office type employment use provide greater employment numbers, but is much more appropriate for this residential area.
- 6.7 To conclude, we consider that the proposed variations to the existing planning permission are consistent with national and local policies and that the proposals are in accordance with the principles of sustainable development. We would, therefore, respectfully submit that planning permission should be granted for the proposed variations.