

Independence House, 84 Lower Mortlake Road, Richmond TW9 2HS

Planning Statement

Firstplan Ref: 23073/CPJ/TH

Date: November 2023

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Appendix 2: Relevant planning history of the site

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Section 1 Introduction

- 1.1 This Planning Statement has been prepared by Firstplan in support of a planning application by William Grant & Sons Ltd at the site known as Independence House, Lower Mortlake Road, Richmond TW9 2HS.
- 1.2 The site currently consists of an unrestricted Class E building facing onto Lower Mortlake Road that was formerly used by the Applicant as their head office. It has, however, remained vacant since the Applicant moved their operation to the Old Court House, Richmond in December 2019. Since their departure, they have undertaken an extensive effort to let out the building for commercial use with 39 months of robust marketing. However, this has proven unsuccessful, with prospective tenants opting to instead locate alternative premises within defined Town Centre locations. The site is, therefore, considered surplus office space for the local market with no realistic prospect of the office use resuming in the foreseeable future. Accordingly, the proposals put forward by this application are focussed on maximising the efficient use of the site in line with guidelines set out in the National Planning Policy Framework (NPPF) and London Plan for much-needed housing.
- 1.3 The application submitted to the LB of Richmond Council (“the Council”) specifically seeks planning consent for the change of use of the building from Class E ‘offices’ to Class C3 ‘residential’ together with the extension of the property at roof level to provide an additional 258sqm of floorspace. This will support the delivery of 21no. residential properties onsite. Works are also proposed to the façade of the building to include the overall restoration and installation of private balconies for the proposed residential units. The description of development is as follows:

Change of use of building from Class E ‘Commercial, Business and Service’ to Class C3 ‘Residential’ together with rooftop alterations and extensions to provide 21no. residential properties. Refurbishment of façade, to include the installation of balconies together with associated amenities, parking and landscaping.

- 1.4 The proposals will help to deliver a significant number of new residential units in a highly sustainable location. This will include provision for 4no. affordable units. The proposed dwellings will all achieve a high standard of accommodation and have been designed in accordance with the prescribed minimum space standards within the London Plan. The level of Affordable Housing has been proposed following an extensive viability exercise, as required by the development plan.

- 1.5 Independence House is located within a defined Key Office Area (“KOA”), as defined in the Council’s Local Plan. Local Policy LP41 states that there is a presumption against the loss of office floor space in all parts of the borough, with a particular emphasis on the KOAs. The Council are in the process of preparing a new Local Plan, with the business policies proposed to be updated to revise the allocation of the site as a Key Business Area, which will be afforded a similar level of protection. However, the Applicant recently submitted representations to dispute the appropriateness of this continued designation of Independence House based on recent marketing and commercial demand in the Richmond area, supported by robust technical expertise. A copy of this submission is provided at [Appendix 1](#). This planning application builds on the evidence from the Regulation 19 representations.
- 1.6 Paragraph 2 of the NPPF states: *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”*. It is argued that the evidence provided both as part of the Regulation 19 process and this planning application demonstrates that the designation and protection of Independence House as KOA at a local level is out of date. Therefore, the principle of the use should be considered acceptable in line with Policy E1 of the London Plan accordingly given the extensive vacancy and robust marketing of the building.
- 1.7 The application follows pre-application advice regarding the change of use and upward extension of the site for residential use to deliver 24no. residential units in 2022 (ref: 22/P0270/PREAPP), as part of which it was discussed whether officers would support the proposed conversion. The response from Officers based on the information provided at the pre-application stage has been considered in Section 2 of this Report.
- 1.8 In order to assist the Council with their assessment of the proposals, the following technical reports have been prepared to support the application. These are considered in more detail in Section 6 of this Report:
- Air quality assessment, prepared by Air Quality Consultants;
 - Arboricultural impact assessment, prepared by GHA trees;
 - Contaminated land preliminary risk assessment, prepared by EPS Consulting;
 - Daylight and sunlight report, prepared by Waldrams;
 - Ecology report, prepared by Darwin Ecology;
 - Energy strategy, prepared by QuinnRoss Energy;
 - Fire safety statement, prepared by Cundalls;
 - Flood risk assessment, incl SuDS report, prepared by JDL Consultants;

- Foul water & utilities statement, prepared by QuinnRoss Energy;
- Health impact assessment, prepared by Air Quality Consultants;
- Marketing statement, prepared by Stirling Shaw;
- Noise impact assessment, prepared by KP Acoustics;
- National water standards statement, prepared by QuinnRoss Energy;
- Transport assessment, prepared by Kronen; and
- Viability statement, prepared by ULL Property.

1.9 This statement should be read in conjunction with the architectural drawings and Design and Access Statement (“D&A”), prepared by Wimshurst Pelleriti Architects, which detail the proposals in full, and the full suite of accompanying supporting documents set out above. It takes the following format:

- **Section 2** provides relevant background information, including a description of the site and surrounding area and relevant planning history, including pre-application advice sought;
- **Section 3** provides a description of the application proposals;
- **Section 4** outlines the national, regional and local planning policies relevant to the application proposals;
- **Section 5** examines the principle of the proposed development to include in the context of Local Policy 41;
- **Section 6** considers the remaining key planning and heritage considerations in the context of the relevant policy; and
- **Section 7** draws the conclusions.

Section 2 Background Information

a) Site description

- 2.1 Independence House comprises a four-storey commercial building (Use Class E) located along the southern side of Lower Mortlake Road outside of the Richmond 'Town Centre' boundary. Its full address is 84 Lower Mortlake Road, TW9 2HS. The accommodation is spread across the ground to the third floor and totals 1,104 sqm of net office floor space. The building has a main entrance along the frontage, with car parking at the rear and basement level.
- 2.2 The building is surrounded by residential properties along Lower Mortlake Road and to the rear, along West Sheen Vale. This includes both the immediately neighbouring Eminence House (No. 76) and the upper floors of Vetro House (No. 90). To the west of Eminence House, Avalon House is an office building but is also understood to be partly vacant.
- 2.3 The site and its immediate context are demonstrated in Figure 1. Photographs of the site and surrounding area are provided within the submitted Design and Access Statement.



Figure 1. Aerial view of Independence House site (Google Maps 2023)

- 2.4 The current (adopted) Richmond Local Plan (July 2018) identifies the site to be situated within a KOA, together with the two buildings to the west, as shown in Figure 2 below (namely Avalon House and Eminence House). The middle building, called Eminence House, is now in sole residential use.

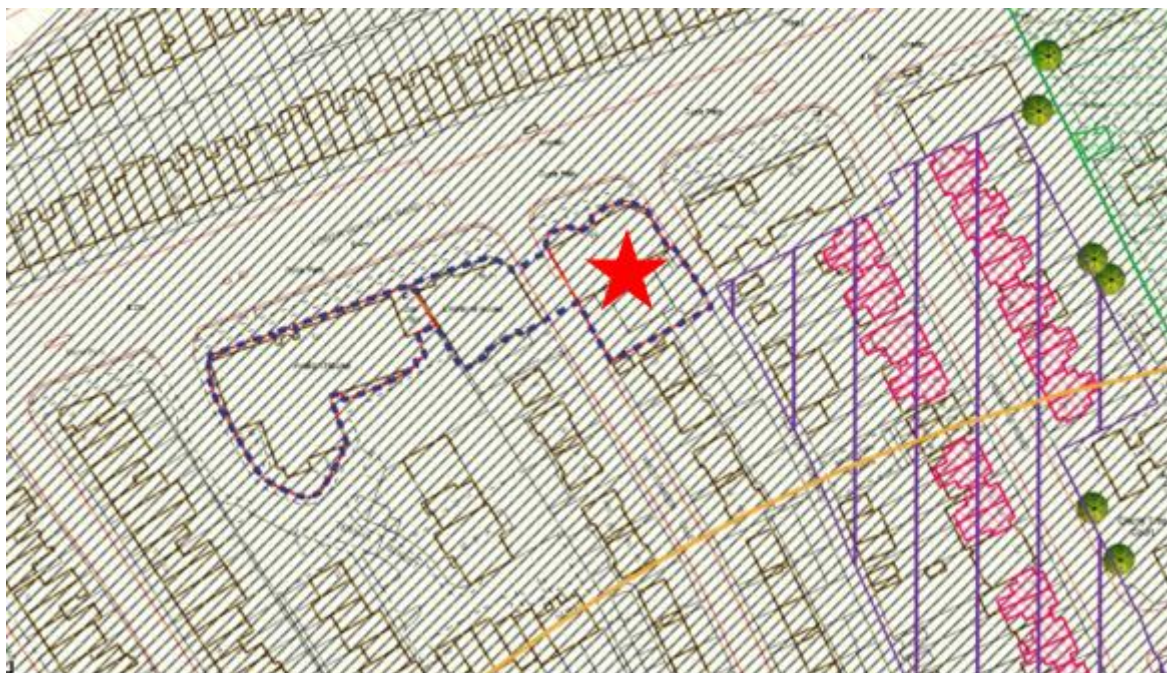


Figure 2. Extract from Adopted Local Policy Map (site shown by red star)

- 2.5 The site is not listed nor located in a conservation area. However, the Sheendale Road Conservation Area is located adjacent to the site, to the southeast. The Environment Agency's Flood Map for Planning confirms that the site is located in Flood Zone 1, within a Critical Drainage Area. Transport for London identifies the site as having a PTAL score of 6a, one of the highest possible. The site is also within the Richmond Town Centre buffer zone (circa 300m away from the edge of the defined Richmond Town Centre) and the Richmond and Richmond Hill Village Character Area 4.
- 2.6 The site is subject to an Article 4 Direction by the Council, which removes permitted development rights (under Class MA) that would otherwise allow the conversion of Class E uses to Class C3 residential via a Prior Approval process. The Article 4 came into force on 31 July 2022.
- 2.7 Independence House was constructed in the mid-1980s and was owned and occupied by WGS as their London HQ office. By 2019 the building became extremely dated and beyond economic refurbishment. As a result, the business reviewed its position and decided to relocate its head offices to a location within Richmond Town Centre (the Old Court House, Parkshot), given its improved facilities and access to the retail and transport connections within the town centre.
- 2.8 Independence House has remained vacant since December 2019, which is now 47 months – at the time of writing, the building has been marketed extensively since August 2020 (39 months) by Stirling Shaw Real Estate Consultants, which has identified no credible interest for the building's reoccupation, as summarised in the submitted Marketing Report.

b) **Planning History**

i) **Application Site**

2.9 The planning history for the site is extensive, with a list of the relevant applications available online provided at [Appendix 2](#).

2.10 It is understood from the evidence available that the building was built pursuant to a planning permission granted in 1987 (ref: 87/427), which allowed for the construction of a part two-storey, part three-storey, part four-storey office building with parking at basement and ground floor level for 40 cars. There was no restriction on the use of the building as offices attached to this decision.

2.11 A subsequent permission was granted in 2002 (ref: 01/2046/FUL), which allowed for the erection of an additional storey on the rear addition and infill of part of the undercroft. A revised planning permission was then granted in 2002 (ref: 02/1225) for the infill of part of the undercroft for office use. There were no restrictions on using the building as offices attached to either of these decisions. Accordingly, it is considered that the permitted use of the building is for Class E use under the Town and Country Planning (Use Classes) Order 1987.

2.12 Most recently, planning permission was granted in 2021 (ref: 20/3359/FUL) for the “*extension of the existing office building to provide a new entrance, enlarged office space and external terraces*” to assist in the building competing with higher grade offices in the Town Centre and to assist in finding suitable tenants. Extracts of the approved scheme are provided at Figure 3 below. However, following grant of this permission (and as explained in further detail in the Marketing Report) it was identified that the works would be unviable due to the costs required, prevailing market conditions and the lack of identified demand for office space in this location. Accordingly, WGS have not implemented this permission which is considered financially unviable for the foreseeable future.



Figure 3. Extracts of approved northern and western elevations under ref: 20/3359/FUL

ii) Surrounding area

- 2.13 Planning permission was granted in 1997 (ref: 97/1106) for developing 72 Lower Mortlake Road (known as 'Avalon House') for office and residential use. A subsequent planning permission was then granted in 1998 (ref: 98/1856) for the development of a 3-storey building for office use only, which we understand authorises the current building. A Certificate of Lawfulness was issued in 2006 (ref: 06/0565/ES191) confirming that the building was used as offices within Use Class B1 which is its current use.
- 2.14 76 Lower Mortlake Road (known as 'Eminence House') was redeveloped following the grant of planning permission in 2004 (ref: 04/1387/FUL) to provide a 5-storey building with residential on the upper floors and 400sqm commercial space at ground floor. The planning permission was varied on multiple occasions, with the latest being in 2008 (ref: 08/0679/FUL). Since its development, applications have been submitted seeking the change of use of the ground floor commercial units. This includes in 2013, where a prior approval was granted (ref: 13/2655/P3JPA) allowing its use as residential accommodation. This is understood to have been implemented, and the current use of the building is residential.
- 2.15 Planning permission was granted in 2004 (ref: 04/1498/FUL) to develop a 4-storey building comprising residential properties and 215sqm commercial space at 86-98 Lower Mortlake Road (known as 'The Vetro'). The upper floors are currently in residential use.

iii) Wider borough

- 2.16 An appeal was allowed in 2021 for the conversion of 2 Heron Court, Hampton, from an existing office to a 2-bedroom apartment within a KOA (ref: APP/L5810/W/20/3259537). In assessing this case, the Inspector recognised the base position that the office could be lost without planning permission through Class E, and this was seen as a factor to be weighed in the balance of the case, especially given the risk of noise and disturbance associated with some Class E uses on neighbouring residential properties. The Inspector considered that this, together with evidence showing that the site has had a long marketing period with no interest, meant that the weight they could give to the conflict with Policy LP41 would be limited. Further to this, it was accepted that the loss of the space would not undermine supply in the Borough.
- 2.17 An appeal was dismissed in 2022 for the redevelopment of Mega House, 159a High Street, Hampton Hill from offices to three residential apartments (ref: APP/L5810/W/21/3283294). In assessing the

appeal, the Inspector confirmed that the Employment Land and Premises Needs Assessment (“ELPNA”) (2021) had been given significant weight in its decision in the light of insufficient evidence to the contrary. In this instance, the Inspector also considered the submitted marketing evidence as part of its review of the case for losing office accommodation, despite the location within a KOA. Whilst the evidence was considered to be not sufficiently robust, it was accepted that the marketing could be used as justification for the loss of offices in a KOA. The decision notes that there was insufficient detail confirming whether the rental and sale price for the offices was comparable with similar properties during the marketing period and whether it was advertised for other employment uses. Further, they considered that no evidence was given to show that Class E uses would not be appropriate alternatives in the location.

2.18 An application for the redevelopment of a former commercial site along Gould Road, Twickenham, to provide residential properties was recently approved by the Council’s Planning Committee despite the case officer recommending it be refused due to the loss of employment floorspace (ref: 22/2556/FUL).

iv) Pre-application advice request ref: 22/P0270/PREAPP

2.19 Pre-application discussions were held with Richmond Council in 2022-2023 to discuss the acceptability of converting Independence House to provide 24no. residential properties. In their written response, dated 16.02.23, Council Officers were of the view that the proposals would not be acceptable in the context of Policy LP41 despite marketing evidence being provided to demonstrate the lack of demand for the site for commercial use.

2.20 In reaching this position, it was set out that:

“the criteria relating to submission of marketing evidence in Part A of the policy do not generally apply to sites located in Key Office Areas, where net loss of floorspace will not normally be permitted and the Council would reiterate that the principle of loss of office development here is not supported in principle” (our underlining)

2.21 In taking this view, Officers reference the outcome of the recent appeal in the Borough at Mega House (ref: APP/L5810/W/21/3283294), which has been considered above. Since this date, however, an updated ELPNA has been published in 2023. This document has also been peer-reviewed in the context of Independence House as part of a written response to the Regulation 19 consultation for the new Local Plan (see below). This, together with the marketing evidence provided by Stirling Shaw, helps to

demonstrate that loss of the office use is wholly justified in this instance. This is explored in detail at Section 5 of this Report.

2.22 A summary of the remaining key matters also raised within this response, together with how they have been addressed by the application proposals, has been provided in [Appendix 3](#).

c) Marketing Report by Stirling Shaw (November 2023)

2.23 As set out above, Independence House has not been occupied since WGS vacated the premises in December 2019 and relocated to better-situated and higher-quality premises in Richmond Town Centre. The building has been subject to extensive active marketing that commenced fully in August 2020 by Stirling Shaw Retail Estate Consultants. The methods undertaken, together with the outcome of this, are set out in the Marketing Report (November 2023) prepared by Stirling Shaw. The report considers the site in the context of the local market in Richmond and sets out the following conclusions:

- There is a chronic oversupply of Grade A offices in the Draft Local Plan Town Centre Area, and the current supply chain stands at ~263,000 sqft of offices available in the next 12 months.
- Average take up for the last 3 years is approximately 22,000 sqft per annum.
- Unless there is a dramatic increase in demand and a “lettings bonanza”, it will take approximately 11.8 years for the current supply to be absorbed.
- Since the building became vacant in 2019, every effort has been made to maximise the commercial/employment generating opportunities, including obtaining planning permission to expand and fully refurbish the whole building, which cost WGS over £60,000 in professional fees just to obtain planning permission
- Due to severely escalating build costs and ‘open ended’ marketing/vacancy periods it is not financially viable to speculatively implement the consented, speculative office scheme.
- There is demand/interest from office occupiers but each party has ultimately dismissed the subject property in favour of offices located in central Richmond, or similar towns such as Chiswick, Hammersmith and Wimbledon.
- There is demand from other sectors such as nursery providers but due to a lack of sufficient external space the building is not suitable.
- For as long as there are competing Grade A offices available in the Local Plan Town Centre Area, Independence House will remain vacant as tenants elect to be located in central Richmond.
- Downgrading the specification and offering the subject property to let at a lower rent is not economically viable and it will still complete with over 68,000 sqft of Grade B offices available to let.

2.24 Stirling Shaw, therefore, reaches the overarching firm view that, whilst the building has the potential to be let to a Class E occupier, there has been no credible interest for over 39 months and the property will remain vacant for the foreseeable future. Furthermore, it is not financially viable to implement the consented scheme.

d) Summary

2.25 The following key points are drawn from this section:

- Independence House was developed in the 1980s for office purposes. No condition was attached to the approved permission restricting the use of the building, and therefore, it has an unrestricted Class E use.
- Whilst a condition was attached to the recent permission for refurbishment works restricting the use of the building to Classes E(e) and E(g), this consent has not been implemented, nor does the Applicant intend to do so in the future as it is not viable.
- Whilst the site is located within a defined KOA, of the three buildings contained within this designation, only one is currently occupied for office use and the occupation is only partial. Independence House has been vacant since late 2019, and Eminence House is now in sole residential use.
- Since WGS vacated the unit in December 2019, it has remained vacant despite a comprehensive marketing campaign being undertaken by Stirling Shaw. This is expressed in the Marketing Report, which concludes that, despite the site's allocation as a KOA, it is not sequentially attractive to tenants who would prefer to locate within Richmond Town Centre, where they would be closer to the train station and amenities.
- The number of appeals relating to the position of Local Policy LP41 is limited. However, a recent appeal decision at Mega House identified that the Inspector considered significant weight should be given to the findings of the ELPNA 2021 prepared to support the emerging Local Plan. However, the Inspector does observe in their decision that there was an absence of evidence to the contrary or a sufficiently robust marketing assessment, which are both contained within this submission. Furthermore, it is evident the Inspector was willing to consider marketing evidence to justify the loss of office accommodation within a KOA. Since this decision, the ELPNA has been updated as part of the Regulation 19 consultation in Summer 2023, and the findings of this have been peer-reviewed by Lichfields on behalf of our client, who is of the view that it is no longer relevant to seek to protect the use of Independence House as offices as there is a significant change in the position in the Council's evidence base for office supply and demand.

Section 3 Application Proposals

- 3.1 The proposals entail converting and extending an existing long-term vacant surplus office building to deliver 21no. residential units (Use Class C3). The proposals are detailed in full on the submitted architectural drawings and Design and Access (D&A) Statement prepared by WP, which should be reviewed in conjunction with this Planning and Heritage Statement.
- 3.2 The development will deliver 12x 1br, 6x 2br and 3x 3br units onsite with a total floor area of 1,683sqm. A full breakdown of the floor areas associated with the proposed units is provided on Page 59 of the D&A Statement. This confirms that all these properties will achieve ample internal and external floor space, in line with London Plan and Nationally Described Space Standards.
- 3.3 Each unit will have good access to lighting and have its own private outdoor amenity space comprising balconies/winter gardens. A 48sqm communal external area is also proposed to the rear at roof level and accessed from Level 3. All units will have a ceiling height of at least 2.5m, in accordance with the London Plan.
- 3.4 The existing basement level will be reorganised to provide 5no. car parking spaces and a cycle store sufficient to accommodate 34no. spaces together with an on-site gym facility and storage units for use by residents. 2no. motorcycle spaces will be provided externally at ground level.
- 3.5 Measures will be incorporated to maximise the sustainability of the development. High-quality materials will be used, with biodiverse green roofs and roof-top PV panels proposed. This is detailed further on Page 53 of the D&A and within the Energy Statement.
- 3.6 The proposed properties have been sensitively designed to ensure that there is no adverse overlooking of surrounding properties. This is detailed further on the proposed plans and within the D&A.
- 3.7 The additional massing proposed involves the alteration of the existing roofscape of the main building and a single-storey extension to the rear addition. These changes are depicted by the extracts of the existing and proposed western elevations provided in Figures 4 and 5 below. Overall, this will deliver 258 sqm of additional floor space suitable for residential living. The overall massing represents a reduction to that previously approved under app ref: 20/3359/FUL.



Figure 4. Extract of existing west elevation



Figure 5. Extract of proposed west elevation (existing in blue outline)

Section 4 Planning Policy Summary

- 4.1 The statutory development plan for the site comprises the London Borough of Richmond Local Plan (2018) and the London Plan (2021). The National Planning Policy Framework (NPPF, 2023) and adopted Supplementary Planning Documents represent material considerations.
- 4.2 The LB Richmond Council are in the process of preparing a new Local Plan which will replace the existing local policy framework once adopted. The Regulation 19 consultation took place in Summer 2023. However, there has been no update since this consultation closed.
- 4.3 The Government have undertaken a consultation on proposed changes to the National Planning Policy Framework to reflect the adopted Levelling-up and Regeneration Bill. This closed on 2 March 2023. Whilst a revised version has since been adopted to reflect changes to guidance on onshore wind farms, the remaining changes are still awaiting implementation in a further revision. The changes consulted have been considered below, where relevant accordingly.
- a) **NPPF (2023)**
- 4.4 The National Planning Policy Framework (NPPF) was adopted in September 2023 and sets out the Government’s planning policies for England and how these should be applied. It states at **Paragraph 2** that planning permission needs to be determined in accordance with the development plan, unless material considerations indicate otherwise. **Paragraph 7** sets out that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 4.5 The overarching objectives of achieving sustainable development are identified at **Paragraph 8** and include (inter alia):
- Helping to build a strong, responsive and competitive economy;
 - Supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and
 - Making effective use of land.

- 4.6 **Paragraph 10** sets out at the heart of the framework is a “*presumption in favour of sustainable development*”. **Paragraph 11** sets out that applications which accord with the development plan should be approved ‘without delay’. In instances where the development plan is silent, or relevant policies are out of date, the paragraph states that permission should be granted, unless they do not comply with NPPF policies, or the adverse impacts of doing so would significantly outweigh the benefits of the development when assessed against the policies in the NPPF.
- 4.7 Local planning authorities are required by **Paragraph 38** to approach decision making in a positive and creative way and to approve applications for sustainable development where possible. **Paragraph 47** requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 4.8 **Paragraph 60** sets out the Government’s objective of significantly boosting the supply of homes. It is stated that to achieve this, a sufficient amount and variety of land must come forward where it is needed and the needs of groups with specific housing requirements are addressed. A draft update to the NPPF expands this paragraph to say the overall aim should be to meet as much housing need as possible with an appropriate mix of housing types to meet the needs of communities.
- 4.9 **Paragraph 69** emphasises the important contribution that small and medium sized sites make towards meeting local housing requirements. It requires local planning authorities to support the development of windfall sites – giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 4.10 With regards to highways **Paragraph 110** identifies that sustainable transport modes should be promoted and that any significant impact on the transport network is mitigated to an acceptable degree, with **Paragraph 111** going on to say that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.11 **Paragraph 119** states that planning policies and decisions should promote effective use of land in meeting the need for homes, whilst **Paragraph 120** sets out that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and supporting the development of under-utilised land. It goes on to state decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained.

4.12 **Paragraph 124** states that planning policies and decisions should support development that makes efficient use of land, taking into account:

- The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- Local market conditions and viability;
- The availability and capacity of infrastructure and services –both existing and proposed –as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- The desirability of promoting regeneration and change;
- The importance of securing well-designed, attractive and healthy places.

4.13 **Paragraph 126** recognises the fundamental role that creating high-quality buildings plays in the planning and development process. It goes on to state that good design should be regarded as a key aspect of sustainable development when seeking to achieve better places in which to live and work.

4.14 **Paragraph 130** sets out that decisions should ensure that development (inter alia) are visually attractive as a result of good architecture, are sympathetic to local character and history, optimise the potential of the site to accommodate and sustain an appropriate amount of development, and retain a high standard of amenity.

4.15 In determining applications affecting heritage assets, **Paragraph 194** sets out that Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact on their significance. **Paragraph 195** also sets out that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

b) London Plan (2021)

4.16 The London Plan was adopted in March 2021 and provides the Spatial Development Strategy including the economic, environmental, transport and social framework for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for good growth.

- 4.17 **Policy GG2** seeks to maximise the development of brownfield land, utilising small sites which are well connected by public transport. The policy encourages decision makers to proactively explore the potential to intensify the use of land to support additional homes.
- 4.18 **Policy GG4** sets out that those involved in planning development must ensure that more homes are delivered and at the same time create mixed and inclusive communities with high standards of design.
- 4.19 **Policy D3** requires all development to make the best use of land by following a design led approach to optimise the capacity of sites. Development proposals should (inter alia):
- Enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape;
 - Achieve safe, secure and inclusive environments;
 - Deliver appropriate outlook, privacy and amenity;
 - Provide conveniently located green and open spaces for social interaction, play, relaxation and physical activity;
 - Achieve indoor and outdoor environments that are comfortable and inviting for people to use;
 - Respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality;
 - Be of high quality, with architecture that pays attention to detail; and
 - Provide spaces and buildings that maximise opportunities for urban greening to create attractive resilient places that can also help the management of surface water.
- 4.20 **Policy D4** seeks for development to retain design quality through to the completion of developments. This policy is supported by **Policy D5** which aims for all development to provide the highest standards of inclusive and accessible design.
- 4.21 **Policy D6** states that Housing development should be of high-quality design and provide adequately-sized rooms (see Table 3.1 of the London Plan) with comfortable and functional layouts which are fit for purpose. Policy D6 also sets out the minimum space standards for new homes. **Policy D7** goes on to require new development to be accessible.
- 4.22 **Policy H1** refers to table 4.1 which sets out ten-year targets for net housing completions that each local planning authority should plan for. The target for Richmond is 4,110 new homes. Policy H1 requires boroughs to encourage development on appropriate windfall sites and to optimise the potential for

housing delivery on all suitable and available brownfield sites through planning decisions, especially the following sources of capacity:

- Sites with existing or planned public transport access levels (PTALs) 3-6 which are located within 800m of a station or town centre boundary;
- Housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses; and
- Small sites.

4.23 **Policy H2** requires boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) in order to significantly increase the contribution of small sites to meeting London’s housing needs, diversify the sources, locations, type and mix of housing supply and to support small and medium-sized housebuilders. Table 4.2 sets out 10 year targets for net housing completions on small sites. The target for Richmond is 2,340 new homes.

4.24 **Policy E1** ‘Offices’ (Part E) sets out that existing office floorspace capacity in locations outside the areas identified in Part C (note: Independence House is not covered by Part C) should be:

“retained, supported by borough Article 4 Directions to remove permitted development rights where appropriate, facilitating the redevelopment, renewal and re-provision of office space where viable and releasing surplus office capacity to other uses”. (our underlining)

4.25 Part I goes on to state that:

“The redevelopment, intensification and change of use of surplus office space to other uses including housing is supported, subject to the provisions of Parts G and H.” (our underlining)

4.26 For completeness, the provisions referred to are as follows:

“G: Development proposals related to new or existing offices should take into account the need for a range of suitable workspace including lower cost and affordable workspace

H: The scope for the re-use of otherwise surplus large office spaces for smaller office units should be explored.”

4.27 Surplus Office Space is defined at paragraph 6.1.7 as follows:

“Surplus office space includes sites and/or premises where there is no reasonable prospect of these being used for business purposes. Evidence to demonstrate surplus office space should include strategic and local assessments of demand and supply, and evidence of vacancy and marketing (at market rates suitable for the type, use and size for at least 12 months, or greater if required by a local Development Plan Document). This evidence should be used to inform viability assessments.” (our underlining)

4.28 **Policy HC1** details that development proposals which affect heritage assets, and their wider sections, should conserve significance by being sympathetic to the asset’s significance and appreciation with their surroundings. Development proposals should seek to avoid harm and identify enhancement opportunities where possible.

4.29 **Policy G5** sets out that major developments should contribute towards urban greening, to include through the use of green roofs. **Policy G6** goes on to require development to aim to secure biodiversity net gain.

4.30 **Policy SI1** sets out that major developments need to be supported by an air quality assessment. **Policy SI5** goes on to require development is deliverable without a detrimental impact on water infrastructure. **Policy SI13** seeks to encourage sustainable urban drainage.

4.31 **Policy T4** identifies the need to consider the impact of development on the local transport network and be supported by a Transport Assessment where relevant. **Policy T5** goes on to require sufficient cycle parking is provided in accordance with Table 10.2 (2 long-stay spaces per dwelling and 2 communal short-stay spaces) with **Policy T6** identifying the need for car parking to be restricted in line with levels of existing and future public transport accessibility and connectivity. **Policy T7** relates to servicing and requires development to facilitate safe, clean and efficient deliveries and servicing, with deliveries managed to be received outside of peak hours.

i) Mayor of London’s Housing SPG (2016)

4.32 The Mayor of London (MoL) is in the process of preparing a new *“Good Quality Homes for All Londoners”* SPG to support the London Plan 2021. In the meantime, the 2016 Housing SPG is still of relevance. It is, however, noted that the MoL does define that where inconsistency does arise between

parts of the adopted SPGs and the London Plan 2021, the London Plan takes precedence as the most up to date document.

4.33 The Housing SPG sets out additional advice on delivering high quality design of new housing to protect and improve prospective tenant’s health and quality of life. Of particular importance is ensuring good design by taking into account public transport capacity, the local context and character and the needs of an area. When taking these factors into account, the best use should be made of development opportunities to optimise housing potential – this can be defined as “developing land to the fullest amount consistent with all relevant planning objectives”.

4.34 This SPG provides further guidance on standards regarding residential space, amenity space, ceiling heights and storage. Additionally, the document covers other issues such as privacy, noise, daylight, outlook/sunlight and other amenity related factors.

c) Richmond Local Plan (2018)

4.35 **Policy LP1** requires all development to be of high architectural and urban design quality. In assessing applications, the Council will give regard to: (inter alia)

“compatibility with local character including the relationship to existing townscape, development patterns, views, local grain and frontages as well as scale, height, massing, density, landscaping, proportions, form, materials and detailing”

4.36 **Policy LP2** sets out that new buildings, including extensions and redevelopment, needs to respect the setting of the borough’s townscapes through appropriate building heights.

4.37 **Policy LP3** sets out that the Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal.

4.38 Part C of the policy states that:

“All proposals in Conservation Areas are required to preserve and, where possible, enhance the character or the appearance of the Conservation Area”

4.39 **Policy LP8** sets out that all development will be required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties.

4.40 Part 2 of the policy sets out that the Council will:

“ensure balconies do not raise unacceptable overlooking or noise or disturbance to nearby occupiers; height, massing or siting, including through creating a sense of enclosure”.

4.41 Part 4 sets out that the Council will:

“ensure there is no harm to the reasonable enjoyment of the use of buildings, gardens and other spaces due to increases in traffic, servicing, parking, noise, light, disturbance, air pollution, odours or vibration or local micro-climatic effects”.

4.42 Parts 1 and 3 seek to protect the amenities of neighbours with regard to daylight/sunlight and sense of enclosure respectively.

4.43 **Policy LP11** relates to the development of new basement levels and confirms that the council will resist proposals for extensions of more than one storey below the existing ground level.

4.44 **Policy LP15** relates to biodiversity and confirms that the council will seek to protect and enhance the borough’s biodiversity, with **Policy LP16** requiring proposals to protect trees and landscape features. **Policy LP17** sets out that green roofs and/or brown roofs should be incorporated into new major developments where possible, with the aim to use at least 70% of any potential roof plate as a green / brown roof.

4.45 **Policy LP20** sets out that new development should minimise the effects of overheating and minimise energy consumption. **Policy LP21** goes on to say that all developments should avoid, or minimise, contributing to all sources of flooding. **Policy LP22** supports retrofitting and reducing the carbon footprint of buildings.

4.46 **Policy LP24** confirms that all developments are required to provide adequate refuse and recycling storage space and facilities, with major developments needing to demonstrate how onsite waste will be managed.

- 4.47 **Policy LP34** identifies that the borough’s housing target will be updated in line with the London Plan (see London Plan Policy H1 and H2). The Richmond area is identified as one of the areas where more housing can be located.
- 4.48 **Policy LP35** requires all new housing, including conversions, to meet minimum internal and external space standards. It goes on to confirm that the housing mix should be appropriate to the site-specifics of the location and that 90% of new build housing should meet M4(2) standards and 10% M4(3) standards.
- 4.49 **Policy LP36** relates to affordable housing and sets out that the council will seek 50% of all housing units to be affordable. Part b) confirms that a contribution will be expected on all housing sites, with former employment sites requiring at least 50% onsite provision. Part c) sets out that in considering this, full consideration will be given to economic viability, individual site costs, the availability of public subsidy and the overall mix of uses and other planning benefits. Part d) sets out that where a reduction is sought developers should provide a development appraisal to demonstrate that the scheme is maximising affordable housing.
- 4.50 **Policy LP39** identifies that any infill and backland development must reflect the character of the surrounding area and protect the amenity and living conditions of neighbours.
- 4.51 **Policy LP40** sets out that land in employment use should be retained in employment use for business, industrial or storage purposes. **Policy LP41** specifically relates to offices and confirms at Part A that there is a presumption against the loss of office floorspace in all parts of the Borough. It goes on to set out that any loss of office space (on sites outside the designated KOAs) will only be permitted where two criteria are met: there is robust and compelling evidence showing there is no longer demand; and a sequential approach to redevelopment or change of use is applied. With regards to sites within KOAs, it sets out that:
- “Net loss of office floorspace will not be permitted. Any development proposals for new employment or mixed use floorspace should contribute to a new increase in office floorspace where feasible. Criteria 1 and 2 in A (above) do not apply to the Key Office Areas”**
- 4.52 **Appendix 5** sets out the marketing evidence that would be sought from the council where a proposed development involves the loss of certain uses. This includes offices outside of the designated KOAs.

4.53 **Policy LP44** details that the council will work in partnership to promote safe, sustainable and accessible transport solutions. This includes through the location of high trip generating development in areas with good public transport and promoting walking and cycling.

4.54 **Policy LP45** requires new proposals to make suitable provision for accommodation of vehicles. In this regard the site has a PTAL score of 6a, one of the highest possible.

4.55 The following SPDs have been considered as part of the application:

- Affordable housing
- Design quality
- Planning obligations
- Refuse and recycling storage requirements
- Residential development standards
- Richmond and Richmond Hill Village plan
- Security by design
- Sustainable construction checklist
- Small and medium housing sites
- Transport

ii) Reg 19 draft new local plan (TBC)

4.56 **Draft Policy 10** sets the housing targets for the new plan period in accordance with the requirements of the London Plan. In this regard, it identifies a 10-year target of 4,110 homes. The supporting text suggests that the current projections demonstrate that this can be delivered by optimising the potential for housing delivery on all suitable and available brownfield sites. In light of this, in considering the use of employment land for residential use Paragraph 17.9 sets out that:

“There is a need to retain land in employment use, as set out in the theme ‘Increasing jobs and helping business to grow and bounce back following the pandemic’. Housing delivery against the borough target is capable of being met without the release of employment land, although there may be limited potential for enabling housing gain on employment land if proposals comply with the requirements of Policies 23 and 24.” (our underlining)

4.57 **Draft Policy 11** relates to Affordable Housing and details the level of provision required for all developments. This policy specifically differentiates rates on sites involving former employment land from other sites.

4.58 **Draft Policy 23** specifically relates to offices and identifies a need to retain offices, setting out that:

“There is a presumption against the loss of office floorspace in all parts of the borough. Proposals which result in a net loss of office floorspace will be refused. Any refurbishment of existing office floorspace should improve the quality, flexibility and adaptability of office space of different sizes (for micro, small, medium-sized and larger enterprises) as set out in London Plan Policy E1.”

4.59 The Council undertook a Regulation 19 consultation with regard to the emerging Local Plan in Summer 2023. As part of this consultation, the proposed plan sought the reallocation of Independence House from a KOA to a Key Business Area (“KBA”). This was based off an evidence base including two versions of an Employment Land and Premises Needs Assessment (“ELPNA”) from 2021 and 2023.

4.60 Representations were submitted as part of the consultation on behalf of the Applicant to dispute the soundness of Draft Policy 23 and the Policy Map on two grounds: that Independence House should no longer be included in a defined employment area; and that the lack of mechanism for the loss of surplus office space does not reflect the findings of the latest ELPNA nor the position of the London Plan, which suggest surplus office space should be used for alternative purposes. A copy of these Representations has been provided in [Appendix 1](#).

4.61 The Representations included a peer review of the Council’s Employment Evidence, undertaken by Lichfield’s. This made the following conclusions of note:

- The Council’s latest employment evidence, published in April 2023 as part of the ELPNA Update, identifies a requirement for 22,860 sq.m of office space over the study period to 2041, which is significantly lower in scale than that identified by the earlier 2021 ELPNA study.
- This updated evidence acknowledges the high vacancy rates that currently characterise the Borough’s office market and recommends a notable change in approach through planning policy to respond to this, concluding that the short-term efficient operation of the office market in the Borough would not be affected if some of the Borough’s existing vacant floorspace was lost. Indeed, the evidence implies some loss of office space being required to help the office market reach equilibrium, and so be able to function more effectively. The ELPNA’s suggestion that this short

term loss of office space should only be allowed outside of Key Office Areas/Key Business Areas is not justified by evidence nor the market reality that some of these areas (including Independence House) make no meaningful contribution to the Borough's economy and office market.

- Despite this definitive conclusion, the Council's proposed approach through the emerging Local Plan is to maintain its strict 'no net loss of office floorspace' policy which features in the adopted Local Plan but has proved to be wholly ineffective over recent years, with the overall stock of office space gradually declining. This approach is no longer justified by the Council's own latest employment evidence and therefore cannot be considered sound.
- Through its proposals for Independence House as a Key Business Area, the Publication Draft Local Plan has taken forward a legacy designation that was based on an assessment last undertaken eight years ago. Since then, the market has undergone significant structural change and the building has been vacant for the last three years. The continued designation of Independence House as a Key Business Area in the Publication Draft Local Plan is not supported or justified by the Council's evidence base nor the latest market signals presented in this report
- The Borough's pipeline of office space supply is more than sufficient in quantitative terms to accommodate future office needs identified by the Council's latest (2023) ELPNA. The Council's proposed mixed use allocations appear to offer good prospects to bring forward the type of office product particularly sought after by local businesses, i.e. high quality, small scale office provision/units. The loss of office floorspace at Independence House would therefore have no material effect upon the overall demand/supply balance for office space across the Borough over the new Local Plan period, nor on the performance of the current office market in Richmond.
- Moreover, Independence House makes no contribution to the Richmond local economy or office market and has not done for a number of years since owner occupiers WGS vacated the building in December 2019. The building's location on Lower Mortlake Road – an 'out of town' location in office market terms – is no longer attractive to office occupiers seeking accommodation in Richmond town centre. The building requires extensive refurbishment to bring it up to the minimum standard required by occupiers, although in the current market this remains financially unviable to proceed with.
- Declining take-up of Grade A office space in Richmond town centre over recent years has resulted in a chronic over supply, which could take nearly 12 years to absorb based on recent take-up rates. This significant quantum of available supply – all of which is located within Richmond's 'core' town centre – offers clear competitive advantages over Independence House. Market signals evidence, including an extensive marketing campaign for nearly three years, indicates no realistic prospect of Independence House becoming re-occupied in the foreseeable future.

c) **Planning Policy Summary**

4.62 The principal conclusions that can be drawn from a review of the planning policy framework are as follows:

- The NPPF requires that plans need to be based on proportionate evidence and be in accordance with national policy. In this regard, Paragraph 16 requires policies to be clearly written and unambiguous, with the policies relating to the economy requiring plan policies to be flexible to suit future needs not anticipated in the plan. Paragraph 11 goes on to require that the development of under-utilised land and buildings should be supported, especially where it meets an identified housing need. Paragraph 120 sets out that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and supporting the development of under-utilised land. Paragraph 122 further outlines that policies need to reflect changes in the demand for land.
- At a London level, the current London Plan was adopted in 2021, with Policy E1 confirming that the change of use of surplus office space to other uses including housing is supported subject to demonstration that there is no alternative viable commercial use. This is an update on the policy position in the 2016 London Plan, which was in force when the 2018 Local Plan was adopted, and which focussed on the enhancement and modernisation of existing office stock. Paragraph 6.1.7 indicates that surplus office space can be identified by 12 months vacancy and marketing to demonstrate that there is no realistic prospect of a site being used for business purposes.
- Policy LP41 provides a mechanism for converting unused office stock where it can be shown there is no longer a demand. It does, however, identify that this is not applicable in the defined KOAs irrespective of the evidence given. However, as detailed at Section 2 of this statement there are appeal cases within which Inspectors have taken the view that, despite this Policy, an assessment of the marketing evidence would be appropriate. This is also implied in the written pre-application response relating to Independence House in 2023, wherein considering the principle of development, officers suggested that the marketing requirements set out in Part A of the policy '*do not generally apply to sites in the KOAs*'.
- The allocation of Independence House as a Key Office Area was introduced in the 2018 Local Plan and reflects the boundaries of Article 4 directions adopted in 2016. At this time, the building was in full-time occupation by WGS as their head office. Since the adoption of the 2018 Local Plan, this position has changed, with the building now having been vacant and comprehensively marketed for a significant period of time (39 months). An up-to-date Article 4 direction remains in place, which would prevent its unrestricted conversion under permitted development rights, although as

Lichfield's highlights in Para 3.8 of their Employment Evidence for the Regulation 19 representations, the continued inclusion of Independence House within this was not informed by an up-to-date evidence base.

Section 5 Principle of the Proposed Development

- 5.1 This section of the Statement seeks to demonstrate the acceptability of the proposed development in land use terms in consideration of the development plan. The key land use consideration relates to the loss of the existing Class E floorspace within a defined KOA and the provision of new residential accommodation to include four Affordable Housing units within a highly sustainable location.
- 5.2 Paragraph 2 of the NPPF sets out that: *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”*.
- 5.3 The relevant caselaw further confirms that development must be found to be in accordance with the development plan “as a whole”, and that conflict with any specific policy does not necessarily deprive a proposal of the statutory presumption in favour of the development plan.
- 5.4 The application proposals must be viewed in this regard, including the development plan policies across both the Local Plan (2018) and London Plan (2021), together with the Council’s latest evidence base.
- a) **Loss of Class E floorspace**
- 5.5 The proposed development involves the change of use of 1,425sqm long-term vacant Class E floorspace. In this regard, the site was previously in use as offices; however, there is no restriction on the use of the building within Class E. Accordingly, the application building can be used within any Class E use without the requirement for planning permission.
- 5.6 At the London Plan level, Policy E1 relates to office floorspace and identifies in Part I that the redevelopment, intensification and change of use of **“surplus office space”** to other uses, including housing, is supported. Supporting Paragraph 6.1.7 defines surplus office space to be where there is **“no reasonable prospect of being used for business purposes”**. It notes that evidence to demonstrate surplus office space should include **“strategic and local assessments of demand and supply” and “evidence of vacancy and marketing” (at market rates suitable for the type, use and size for at least 12 months** or greater if required by a local Development Plan Document).

- 5.7 At a local level, Policy LP41 states that any loss of office space in the KOAs will not be permitted and establishes a general presumption against the loss of offices within the Borough. Outside of KOAs, the policy only permits the loss of floorspace where there is compelling evidence showing there is no longer demand and a sequential approach has been undertaken to demonstrate it is not appropriate for other commercial use.
- 5.8 This position was reflected in the written response by Council officers to pre-app ref: 22/P0270/PREAPP, where officers emphasised that the loss of office space in this location would be contrary to Policy 41 given its location in a KOA.
- 5.9 There is, therefore, a clear discrepancy between the local position on KOAs adopted in the Local Plan 2018 and the position within the more recently adopted London Plan 2021 about the release of surplus office accommodation in this location. However, both form part of the development plan, which needs to be considered as a whole. In considering this, Paragraph 0.0.20 of the London Plan identifies that the policies contained within it are supported by a proportionate evidence base, with Paragraph 0.0.24 going on to say that the London Plan does not preclude Boroughs from adopting varying positions where locally-specific circumstances and evidence suggests this would better achieve the objective of the London Plan, and where such an approach can be considered to be in general conformity with the London Plan.
- 5.10 It is therefore considered that whilst there is local opposition to the loss of office space in this location, the weight given to this compared to the London plan needs to be proportionate to the evidence available to support it and whether this is considered to be up to date.
- 5.11 Indeed, NPPF Paragraph 11 sets out that in instances where the development plan is silent or relevant policies are out of date, permission should be granted unless they do not comply with NPPF policies or the adverse impacts of doing so would significantly outweigh the benefits of the development when assessed against the policies in the NPPF.
- 5.12 In the context of Independence House, the position set out in LP41 is not considered to be in conformity with the more recently adopted London Plan Policy E1, which allows the release of “surplus office accommodation” where there is “no reasonable prospect of being used for business purposes”. This position is supported by robust marketing evidence (by Stirling Shaw) and a strategic assessment of the Council’s most recent evidence base (ELPNA 2023) submitted as part of the representations to the Reg 19 consultation (by Lichfield’s), which cumulatively demonstrate that the proposals satisfy the

requirements in London Plan Policy E1 in that Independence House is surplus office accommodation where there is no reasonable prospect of being used for business purposes in the foreseeable future.

5.13 These documents further demonstrate that the more resistive approach outlined within Policy LP41 is no longer supported by the Council's own evidence base (EPLNA 2023) and office vacancy within Richmond and is therefore considered to be out of date. In this regard, the proposals are in accordance with the overall development plan position regarding the release of surplus office accommodation and the use of under-utilised land for housing.

5.14 To demonstrate this, the following is detailed in this section:

- The allocation of Independence House within a KOA is no longer justified
- The building is surplus to requirements and has no reasonable prospect of being reoccupied
- The Council's latest evidence base does not support the approach outlined in Policy LP41
- Comparison with recent appeal decisions
- Summary

i) The Allocation of Independence House within a KOA is no longer justified

5.15 The Council introduced the designation of 'Key Office Area' in the 2018 Local Plan, predominantly to reflect land covered by the Article 4 direction adopted in 2016 restricting the conversion of properties in the Borough from office to residential. The allocations were also supported by the evidence base to the 2018 Local Plan, which included an 'Employment Sites and Premises Study' prepared by Peter Brett Associates in 2016.

5.16 Independence House sits within a KOA that is formed of a cluster of three buildings, as follows:

- Independence House (no. 84) – vacant since February 2020 with extensive marketing – no existing office use
- Eminence House (no. 74) – in sole residential use – no existing office use
- Avalon House (no. 72) – in office use but not fully occupied

5.17 Accordingly, there is currently no office use within over two-thirds of this KOA allocation, which is no longer considered to be serving as a key office location in Richmond. This is supported by the vacancy and marketing evidence of the location and the Council's latest evidence base.

5.18 The office market in Richmond has changed substantially in the last eight years since the original Article 4 direction was issued which led to the KOA designation in 2018, as has the situation across the three properties. Independence House has been vacant for circa four years and has been through 39 months of extensive marketing.

5.19 Furthermore, as demonstrated in Section 2 of this Report, the Marketing Report by Stirling Shaw demonstrates that the site is not regarded as a preferred location for prospective tenants. It is one of a few commercial isolated buildings outside of the Richmond Town Centre and has to compete with sites of a similar size with better access to the shopping district and train station. It is clear that the function of this allocation to the borough office market is negligible.

5.20 This position is also emphasised by Lichfield's in their Employment Evidence review, where it is concluded (at Paragraph 5.2.7) that:

“The building’s location on Lower Mortlake Road – an ‘out of town’ location in office market terms – is no longer attractive to office occupiers seeking accommodation in Richmond town centre. The building requires extensive refurbishment to bring it up to the minimum standard required by occupiers, although in the current market this remains financially unviable to proceed with.

5.21 The report also concludes (at Paragraph 5.2.5) that:

“Through its proposals for Independence House as a Key Business Area, the Publication Draft Local Plan has taken forward a legacy designation that was based on an assessment last undertaken eight years ago. Since then, the market has undergone significant structural change and the building has been vacant for the last three years. The continued designation of Independence House as a Key Business Area in the Publication Draft Local Plan is not supported or justified by the Council’s evidence base nor the latest market signals presented in this report.”

5.22 In light of this, the evidence prepared as part of both this application and the representations to the Regulation 19 consultation demonstrates that the allocation of Independence House within the KOA is no longer justified by these material considerations and is out of date.

- ii) The building is surplus to requirements and has no reasonable prospect of being reoccupied

- 5.23 Independence House makes no contribution to the Richmond local economy or office market and has not done so for four years. Independence House has not been occupied since WGS vacated the premises in December 2019 and relocated to better-situated, higher-quality premises in Richmond Town Centre. The building has been subject to extensive, active marketing that commenced in August 2020 (39 months) by Stirling Shaw Retail Estate Consultants. The methods undertaken, together with the outcome of this, are set out in the Marketing Report (November 2023).
- 5.24 A summary of the marketing report is outlined in Section 2 of this Statement; however, key conclusions include that:
- There is a chronic oversupply of Grade A offices in the Local Plan Town Centre Area, and the current supply chain stands at ~263,000 sqft of offices available in the next 12 months.
 - Average take up for the last 3 years is approximately 22,000 sqft per annum.
 - Unless there is a dramatic increase in demand and a “lettings bonanza”, it will take approximately 11.8 years for the current supply to be absorbed.
 - For as long as there are competing Grade A offices available in the Town Centre Area, Independence House will remain vacant as tenants elect to be located in central Richmond.
- 5.25 These conclusions are further supported by the Employment Evidence review by Lichfield’s, which demonstrates a clear surplus in office floorspace within Richmond and that the release of surplus office accommodation is required to help the office market reach equilibrium.
- 5.26 As detailed in the supporting evidence, since adopting the 2018 Local Plan there have been significant changes to the market, including the implementation of Brexit and the changes to working practices following the Covid-19 pandemic, which have materially impacted the demand for office space and supply levels. Indeed, the evidence demonstrates that there is a clear oversupply of office accommodation in this location, with it projected that the supply in Richmond Town Centre could take nearly 12 years to be absorbed based on recent average take-up rates. Independence House would continue to sit empty as it compares poorly with better-located sites within the town centre, which are in good supply.

- 5.27 The loss of office floor space at Independence House would, therefore, have no material effect on the overall demand/supply balance for office space across the Borough, nor on the performance of the current office market in Richmond, which is operating at a clear surplus.
- 5.28 In respect of the marketing efforts to date, this has been undertaken in accordance with the full requirements set out in Appendix 5 of the Local Plan since it began formally in August 2020. The building has been marketed for office use and other types of office-based uses such as flexible, start-up or co-working space with no credible interest. Furthermore, it has been marketed at a price commensurate with the existing quality and condition based on the local office market regarding local comparable spaces.
- 5.29 In addition, flexible lease terms, which are outlined, have been offered. Furthermore, the potential for upgrading, extending and adapting the building has been comprehensively explored; however, these works are not viable. In addition, the building has been marketed for alternative Class E use but is not well suited to other Class E uses owing to the format of the building and its location outside the town centre.
- 5.30 The robust marketing that has been undertaken clearly demonstrates that there is no longer demand for office-based use in this location or building and that there will not likely be one in the foreseeable future.
- 5.31 The marketing report concludes that there is an average annual take-up of circa 2,000 sqm, meaning that there is currently a circa 12-year supply within the defined town centre area. Therefore, it is implausible that tenants will consider Independence House desirable for a significant period of time, having already been vacant for four years.
- 5.32 In the light of the above, the robust marketing undertaken, and the review of the Council's evidence base demonstrate that Independence House comprises surplus office accommodation and that there is no realistic prospect of the building being reoccupied for this use for the foreseeable future.

iii) The Council's latest evidence base does not support the approach outlined in Policy LP41 with regard to Independence House

- 5.33 As part of the Representations made by the Applicant to the Regulation 19 consultation process, Lichfield's found that the Council's own employment evidence (ELPNA 2023) demonstrates that it is no longer reasonable to oppose the loss of office space in the borough in totality, with there being a

significant oversupply of office floorspace. Lichfield's, therefore, outlined that emerging policy should allow the release of surplus officer accommodation, including within KOAs (to become KBAs), where the evidence supports this. This updated evidence base should be given significant weight and is a material consideration that must be weighed against the current wording of Policy LP41, which is no longer justified in respect of Independence House.

5.34 Indeed, the 2023 version of the ELPNA confirms that a loss of 15,000 sqm of office floor space could be acceptable without impacting the local market. As demonstrated in the Lichfield's Report, Independence House does not make a contribution to the local economy or office market as it is a long-term vacant building and is within a location that is no longer attractive to prospective tenants. There would, therefore, be no impact on the local market should it be converted to residential use, and, given the oversupply identified, this would not have an impact on the availability of offices in the borough.

iv) Comparison with recent decisions

5.35 As detailed in Section 2 of this Report, a limited number of appeals have been determined in recent years that consider the application of Policy LP41. The examples do, however, demonstrate that consideration of evidence to justify the loss of office floor space within KOAs can be given. Furthermore, the Council's planning committee has recently voted to approve the redevelopment at Gould Road (ref: 22/2556/FUL) despite officers confirming it would be contrary to policy on protecting commercial floorspace. This demonstrates that the Council does consider evidence and material considerations to reduce the weighting given to Policy LP41 Part B.

5.36 During pre-application discussions, the Council specifically referred to the Appeal decision relating to Mega House, Twickenham, which was determined in Sept 2022 (Appeal ref: APP/L5810/W/21/3283294) as a basis for their position on the loss of office space in accordance with Policy LP41.

5.37 Upon review of the appeal decision, however, there are clear differences with the application as submitted, as follows:

- Mega house related to a small office unit, which the Local Plan identifies at Para 10.2.6 as having particular significance due to their appeal towards small and medium enterprises. In contrast, Independence House has a large floor space, meaning it is less appealing for prospective tenants as a whole. Whilst this is the case, the building has also been advertised as smaller units without any credible interest shown.

- The Inspector gave “significant weight” to the ELPNA 2021 in providing an up-to-date evidence position, which (at the time) was forecasting growth and a shortage in supply. The appeal was dismissed, in part, due to the lack of a comparable study to challenge its finding. This position has changed significantly in the publication of the ELPNA 2023, which has identified there to be a 68% reduction in office space demand from that originally suggested in 2021. Furthermore, it identifies that 15,000 sqm of existing office floor space could be lost in the borough without impacting supply. A comprehensive review of this document (in the context of Independence House) has also been prepared as part of the Regulation 19 consultation by Lichfield’s. This robustly challenges the soundness of a protectionist policy for office space in the borough, including within KOAs, where surplus office floor space should be accepted for managed release.
- The Inspector noted that LP41 does not consider marketing evidence for the loss of office floor space within KOAs. Notwithstanding this, the Inspector proceeded to consider the evidence submitted and, thus, demonstrated that such evidence can be considered. The evidence was, however, not considered to be sufficient as the rental/sale price was not justified by comparables, it was not advertised for other employment uses and given a large part of the marketing took place during the height of the COVID-19 pandemic. These three factors raised doubts regarding the reliability of the marketing. The submitted marketing evidence for Independence House robustly addresses these three areas in the provision of comparable prices advertisement for alternative Class E uses and, with a significant proportion of the marketing being post any COVID-19 lockdowns. The marketing evidence submitted meets the full requirements set out in Appendix 5 of the Local Plan.

5.38 In light of the above, there are clear differences between the appeal decision at Mega House and the application proposals, which have addressed all the reasons leading to the dismissal of the appeal. This appeal decision should not represent a precedent for refusal accordingly, and the application should be considered solely on its own merits. Indeed, the appeal decision outlines that significant weight can be given to the latest evidence base, which now justifies the release of surplus office floorspace. Furthermore, the decision establishes the principle that marketing evidence can be considered in justifying the loss of office floor space within KOAs, contrary to the Council’s advice.

v) Summary

5.39 This application is supported by both strategic and local assessments of demand and supply (ELPNA 2023 and Lichfield’s review) and evidence of vacancy and marketing (by Stirling Shaw), which

cumulatively demonstrate that Independence House is clearly surplus to requirements and that there is no realistic prospect of it being reused for business purposes for the foreseeable future.

- 5.40 The loss of the Independence House from office use would have no material effect upon the overall demand/supply balance for office space across the Borough, nor on the performance of the current office market in Richmond.
- 5.41 In this regard, the proposals are considered to be in accordance with London Plan Policy E1 and the overarching principles set out in Local Plan LP41, including its marketing requirements and the Council's latest evidence base within the ELPNA 2023.

b) Provision of residential accommodation

- 5.42 NPPF paragraph 69 highlights that small and medium sites can make an important contribution to meeting the housing demand for an area. Furthermore, Paragraph 120 sets out that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and supporting the development of under-utilised land.
- 5.43 The London Plan further encourages the intensification of land to provide homes and promote higher-density development in well-connected areas. London Plan Policies GG2 and H1 support the need for additional residential development across London and encourage optimising the potential of brownfield sites for residential use. Policy H2 echoes this and confirms that small-site developments are expected to play a significant role in contributing towards the housing targets (including residential conversions) through incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary.
- 5.44 London Plan Policy H1 establishes a strategic need to deliver 4,110 new homes within Richmond within a 10 year period. London Plan Policy H2, in particular, highlights that boroughs need to proactively support well-designed homes on small sites, identified as those with an area below 0.25Ha. Indeed, Richmond is obligated to deliver 2,340 new homes on small sites. Residential unit completions within Richmond within 21/22 and 22/23 fell well short of the completions necessary to meet the London Plan requirements.
- 5.45 Similarly, Local Plan Policy LP34 seeks to deliver 3,150 homes for the period 2015-2025, including 1,000-1,050 units within the Richmond area.

5.46 In this regard, the proposed development seeks to convert and extend the existing surplus office building to deliver 21 high-quality residential properties. These will consist of a mix of 1, 2 and 3-bedroom apartments in a highly accessible and sustainable location.

5.47 The proposals will convert this underutilised small site and deliver much-needed housing, in line with policies GG2, H1 and H2 of the London Plan and Local Plan Policy LP34, making a valuable contribution to the Council's housing supply. The principle of the proposed residential conversion should be supported and given substantial weight, as outlined in the NPPF.

c) **Affordable housing provision**

5.48 Local Policy LP36 states that on sites of previous employment land, the Council would seek at least 50% affordable housing provision. The policy does, however, go on to confirm that the level of affordable housing would be subject to viability, with any reduced proposed provision needing to be justified by a comprehensive viability assessment.

5.49 The proposed development is for converting and extending the existing building to deliver 21no. residential properties, four of which will be 'Affordable' units. This represents an Affordable Housing provision of 19% (24% of floor area) across the development.

5.50 In order to assess the acceptability of this provision as required by Policy LP36, a Viability Assessment has been prepared by ULL Property. This report reviews the costs associated with the works and the projected revenue. It identifies there to be a negative Net Residual Value, meaning that the provision of any affordable housing would not be sustainable onsite. As a result of this, ULL concluded that:

"The proposal includes the provision of 4 affordable homes, being 19% of dwellings and 24% of the proposed floor space. This is considered to be the maximum reasonable provision of affordable housing, and indeed this is to the detriment of a market level of profit being achieved in this instance.

The Council's policy makes clear that the affordable housing contribution is subject to viability testing, and this report has been compiled in compliance with this policy, National Planning Policy Framework and RICS Guidance."

5.51 Policy LP36 also identifies a need to demonstrate evidence of meaningful discussions with a Registered Provider to inform on the affordable housing being delivered. In this regard, the Applicant has reached

out to the Richmond Housing Partnership, which operates several affordable housing units in the near vicinity. From these discussions, they have confirmed an interest in managing the units being proposed as part of the scheme, as detailed in the submitted Design and Access Statement.

5.52 In light of this, it is considered that the maximum affordable housing contribution has been provided onsite and that the requirements of Policy LP36 have been met. The proposals should be considered acceptable in this regard accordingly.

d) Summary

5.53 This section of the Statement demonstrates the acceptability of the principle of the proposed development in land use terms. As outlined, the NPPF gives substantial weight to the value of using suitable brownfield land within settlements for homes and supporting the development of under-utilised land.

5.54 It has been demonstrated that the existing accommodation is surplus office space and that there is no realistic prospect of the office use resuming in the foreseeable future. The existing building is, therefore, under-utilised and is entirely suitable for use for new homes within this highly accessible and sustainable location, which should be afforded substantial weight.

5.55 With regard to the loss of office floor space, the existing building has been vacant for four years and has been robustly marketed for 39 months since August 2020. The submitted marketing evidence and updated Council evidence demonstrate that this building's office use can be released with no material impact on the local office market or conflict with London Plan Policy E1 or Local Plan Policy LP41.

5.56 Planning permission should be granted for the following reasons:

- The office space is surplus, and there is no reasonable prospect of being used for business purposes for the foreseeable future.
- The development will deliver 21no. high-quality residential properties in a highly sustainable location.
- The development will achieve an overprovision of Affordable Housing compared to what would be economically viable for the proposed development.
- The proposals will include significant enhancements to the design of the building, which will have a positive impact on its setting. (see Section 6)

- The proposed development seeks to retain the existing building onsite as opposed to a redevelopment. Whilst this is the case, the proposed scheme seeks to significantly upgrade the building, with renewable energy sources and improved facades proposed. (See Section 6)
- The site is currently fully developed with no biological features present. Consideration has therefore been given to the delivery of biodiversity enhancements, to include a green roof and wildlife accommodation. This will help to deliver a biodiversity net gain onsite. (See Section 6)

Section 6 Planning Assessment

6.1 The remaining principal planning considerations relating to this application are:

- Design considerations
- Standard of accommodation
- Impact on neighbouring amenity
- Sustainability and biodiversity
- Transport and servicing

6.2 Each matter is discussed in turn below.

a) **Design considerations**

6.3 Policies D4 and D5 of the London Plan and Local Policies LP1 & LP2 set out that development should be of a high-quality design, responding effectively to the context of the surrounding area.

6.4 Careful consideration has been given to the design of the proposals in order to ensure that it makes a positive contribution to views from the local area. In this regard, the site consists of a dated office building located in a prominent location fronting Lower Mortlake Road.

6.5 The proposed development includes a significant refurbishment of the building, providing a high-quality external refresh and upgrade. This will be achieved by providing a design solution that reflects the use of residential accommodation, which would improve the building's overall character and appearance. In terms of appearance, the building will be provided with a robust and contemporary finish, with balconies and winter gardens incorporated on each floor. These design features will add visual interest, particularly along the front elevation. This will give the building an individual identity that provides interest to the locality without appearing dominant. This is reflected by the CGIs in Figures 6 & 7 below and represents a significant enhancement to the existing building.

6.6 In order to maximise the new floorspace onsite, the rooftop will be converted to a mansard, with the balconies recessed behind a layer of decorative screening. The rear addition will also be extended by one storey. Overall, this will enable the delivery of 258 sqm of additional floorspace onsite through the provision of harmonious additions.



Figure 6. Extract of high-res CGI of front elevation



Figure 7. Massing CGI extract of rear elevation

6.7 In considering the submitted proposals, it is important to note that officers were supportive of the proposed design in their written response to pre-app ref: 22/P0270/PREAPP, and consent was approved for a similar level of development in 2021 under app ref: 20/3359/FUL.

6.8 The height has also considered that previously approved onsite under app ref: 20/3359/FUL, with the proposed massing retained within the previously approved envelope. This is demonstrated within the D&A. The maximum height of the development should be considered acceptable accordingly.

6.9 The design impacts of the developments are considered to be acceptable.

i) Impact of the works on the designated heritage assets

6.10 Whilst the site is not located within a conservation area, it is located adjacent to the Sheendale Road Conservation Area to the south-east. The significance of this area is based on the presence of small and distinctive 19th-century semi-detached miniature villas. No specific reference is given to the buildings

forming the backdrop to the Conservation Area, with the opportunities for enhancement focussed on the sites within the area itself.

- 6.11 In the context of this area, the application site already features a large building located away from the boundary and does not form the immediate setting of the Conservation Area or a prominent building within it. This will not change due to the works, with the additions at the roof level having a minor impact on the overall design and scale of the building and no impact on the Conservation Area setting. Furthermore, it will represent a reduction in development quantity to that approved under app ref: 20/3359/FUL, which was considered acceptable in this regard.
- 6.12 It is also relevant to note that the proposals were discussed in this context with officers at the pre-application stage. The written response confirmed that officers believed the design could integrate successfully with the surrounding built form and no heritage objections were raised.
- 6.13 In the light of the above, the proposed development will be well suited for its location and will not have a harmful impact on the significance of the Sheendale Road Conservation Area. It will represent a scheme of reduced massing to that previously approved under app ref: 20/3359/FUL and should be considered acceptable with regards to Policy LP3 accordingly. Indeed, the overall external appearance of the building would be enhanced.
- 6.14 Notwithstanding the above, it is noted that the development will further deliver a number of public benefits which also weigh in favour of the proposals:
- The proposed development will deliver 21no. residential units, to include affordable housing units in an accessible location, helping to add much-needed housing to the local stock.
 - The proposed works will represent the regeneration of the site, which is currently vacant.
 - The development will achieve a very high level of sustainable design, incorporating PV solar panels and green roofs where possible.
- 6.15 The design and heritage impacts of the development are entirely acceptable.

b) Standard of accommodation

- 6.16 New residential developments are expected to provide a good standard of amenity for future occupiers in accordance with London Plan Policy D6 and the London Housing SPG. This is also reflected at Local Policy LP8 and the Residential Design Standards SPD. Local Policy LP35 goes on to require that all housing achieves appropriate space standards and be accessible. As set out within the D&A, each of the

proposed units meets or exceeds these requirements. The unit mix proposed is also in line with Policy LP35, with the site's accessibility and close proximity to Richmond Town Centre supporting the provision of a higher number of 1 and 2 bedroom units.

- 6.17 All of the proposed units are generously proportioned and have ample access to natural light. The provision of large windows and balconies will also offer good levels of natural daylight and outlook, as confirmed by the submitted Daylight/Sunlight Assessment by Waldrams, which concludes that the proposed development will meet BRE guidelines. Further, residents will have access to onsite storage and gym facilities at the basement level.
- 6.18 Measures have also been incorporated into the design to ensure all of the proposed units are acceptable in noise terms. The proposed measures are detailed in the submitted noise assessment and include appropriate glazing and background ventilation.
- 6.19 The level of private external amenity space has been maximised where possible onsite, with each unit afforded a balcony. A communal roof terrace is also proposed at the third-floor level, and this will have step-free access. This is detailed further within the D&A. This is considered acceptable in this instance, given the site's accessibility and location in proximity to a number of open spaces, including Old Deer Park and Richmond Green.
- 6.20 There is limited opportunity to provide external child play space onsite. Therefore, a financial contribution is proposed to improve provision in the locality accordingly.
- 6.21 Overall, it is considered that the proposals will provide a high standard of accommodation with generous unit sizes, ample light, privacy and a good outlook.

c) Impact on neighbouring amenity

- 6.22 Policies at all levels require development to protect the amenity of neighbouring properties. The closest existing residential properties to the application site are identified as those adjacent to the building along both Lower Mortlake Road and West Sheen Vale. These represent 4-5-storey and 2-storey buildings, respectively.
- 6.23 The impact of the proposed scheme on neighbouring properties has been fully accounted for in the design process. It is, however, relevant to note that the proposed massing will be within that previously approved under permission ref: 20/3359/FUL. It should be considered acceptable accordingly. Indeed, this is reflected in the findings of the Daylight/Sunlight Assessment by Waldrams, which concludes that

all rooms and windows in the surrounding residential properties meet the target values for daylight and sunlight. A minor adverse reduction in VSC is identified in one window at No. 7 West Sheen Vale. However, this is understood to be an isolated impact and should be considered acceptable overall.

6.24 In contrast to the previous scheme, the proposals represent a change of use to residential and the provision of balconies and external amenity space. These features have been devised to ensure that there is no increased sense of overlooking compared to existing, to account for the existing built environment. This is detailed within the D&A, with obscure glazing and balcony screening proposed where necessary.

6.25 The impact on neighbouring residential amenity will be acceptable.

d) Sustainability and biodiversity

6.26 The site consists of an existing building with little external greenspace. The proposed scheme intends to retrofit the building with soft landscaping enhancements to reflect the needs of Policy LP17, as detailed on the submitted roof plan (ref: WPA-0114). This will help to deliver 300sqm greenspace onsite (61.6% of the overall roof area). This is the maximum provision possible onsite.

6.27 Measures will be installed to enhance the sustainability of the building in accordance with Policies LP20 & LP22. This will be achieved using modern construction processes and installing 117sqm PV solar panels over the green roof (24% of the roof area). The benefits of these improvements is considered in the submitted Energy Strategy by QuinnRoss Energy, which concludes that:

“when including all available technologies and methods, the building will achieve a 36% improvement over the GLA baseline.”

6.28 In order to deliver the proposed works, no alterations are required to the existing trees neighbouring the site. This is confirmed in the submitted Arboricultural Assessment. As such, the proposals should be considered acceptable in the context of Policy LP16.

6.29 A Preliminary Ecological Appraisal has been prepared by Darwin Ecology to accord with Policy LP15. This considers the proposed improvements onsite, which include the installation of biodiverse green roofs and bat and insect boxes onsite, and concludes that:

“The proposed plans include green roofs and ornamental planters. The addition of these habitats and features to the site will increase the ecological value of the site.

The proposals will also enhance the site in the long term for protected species including bats, birds and invertebrates through wildlife friendly planting and installation of bat and bird boxes and bee bricks.”

6.30 The proposed development will deliver clear sustainability and biodiversity enhancements. It should be considered acceptable in this regard accordingly.

e) Transport and servicing

6.31 The site is located in a highly accessible location, as reflected by its PTAL score of 6. Further, it currently hosts an existing rear access to a basement car park.

6.32 Policy T6 of the London Plan requires that an appropriate balance is struck between promoting new development and preventing excessive car parking. Policy LP44 promotes sustainable travel solutions, with Policy LP45 requiring suitable provision for vehicles.

6.33 It is proposed that 5no. disabled spaces be accommodated onsite, together with 34no. cycle and 2no. motorbike spaces. This provision has been designed in accordance with London Plan standards.

6.34 Sufficient refuse and recycling facilities will be provided onsite in line with Policy LP24. The site has been designed to ensure that collection vehicles and delivery vehicles can arrive and leave in forward gear accordingly. Details of this is provided within the D&A.

6.35 In order to assess the acceptability of the proposed development in this regard, a Transport Statement has been prepared by Kronen. This concludes that:

“The proposals are not considered to have unacceptable safety impacts or other transport impacts in the context of Paragraph 111 of The National Planning Policy Framework (DHLUC, 2023) of only preventing or refusing development on transport grounds where “there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

6.36 In the light of this, the proposed development will be serviced appropriately and have no impact on the operation of the local highways network.

f) **Other considerations**

6.37 A Surface Water Drainage Strategy, prepared by aegaea, has been provided to assess the proposed works as required by Policy LP21. This considers the proposed green/blue roof system and concludes that:

“The proposed green roof element of the SuDS system is considered adequate to treat runoff to the quality level required for offsite discharge to the sewers.”

6.38 A review of the acceptability of the proposed development in the context of the local water network has been undertaken. The findings of this have been detailed within the submitted reports on Utilities and Water Standards, both of which conclude that the proposed development will be acceptable.

6.39 Policy D12 of the London Plan requires details of fire safety to be provided, demonstrating that fire safety has been accounted for in all developments in London. A Fire Statement has therefore been prepared by Cundalls, which details the internal and external measures recommended as part of the scheme.

6.40 A Stage 1 assessment of contamination has been undertaken by EPS Consulting. This concludes that:

“Given that the conceptual site model has determined all contaminated land risks to be ‘inactive’ no further works are required in accordance with LCRM 2021. As such, contamination land aspects are not considered a significant constraint to obtaining planning consent for the proposed development.”

6.41 A Health Impact Assessment has been prepared by Air Quality Consultants to consider the potential impacts associated with the proposed redevelopment. The report uses the HUDU Rapid HIA tool and Healthy Urban Planning Checklist and concludes that:

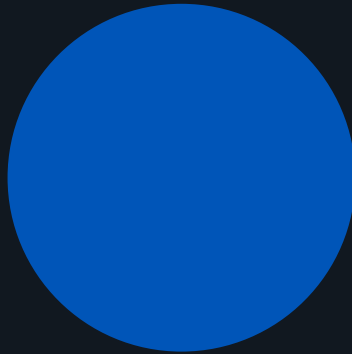
“The LBRT is above the national average for the majority of health factors, including child health, adult health and overall deprivation levels. The proposed development will have an overall positive impact on the local area by introducing communal amenity space and landscaping to a currently unoccupied site.”

Section 7 Conclusions

- 7.1 This Statement has been prepared to support a full planning application for the change of use and extension of Independence House, Lower Mortlake Road, to deliver 21no. residential properties.
- 7.2 The proposals represent an opportunity to make the best use of a long-term vacant office building that is surplus to requirements to provide a valuable contribution to the local housing market and affordable units on site, which the NPPF outlines should be afforded substantial weight. It will also help deliver significant improvements to the existing building in terms of appearance, sustainability and biodiversity.
- 7.3 There are clear material considerations that justify the release of this surplus office space which is evidenced as having no realistic prospect of being reoccupied for business use in the foreseeable future. This is demonstrated by robust marketing evidence, the Council's recently updated evidence base, and the Applicant's review of this.
- 7.4 This Statement demonstrates that the development is acceptable for the following reasons:
- The existing office floor space is surplus, and it is evidenced that it will continue to remain vacant for the foreseeable future.
 - It will help significantly contribute to the local housing market (21 units) on a sustainable, brownfield small site.
 - The development represents a significant investment in the site that will enhance its external appearance, sustainability and biodiversity value.
 - All the proposed residential units will be fully compliant with standards set out within the London Plan and local policy to provide a very high standard of residential amenity.
 - An overprovision of Affordable Housing is proposed when compared to that considered viable within the submitted viability report.
 - The proposed development will respond successfully to the nature of the surrounding area and will sit comfortably in relation to scale and massing. Furthermore, it will preserve the significance of the setting of the Sheendale Road Conservation Area to the south-east.
 - There will be no detrimental impact on the highways network as a result of the proposed development.

- Appropriate measures will be implemented to ensure that the amenities of future residents and existing occupiers of the neighbouring properties will be fully protected.
- Technical reports have been provided to demonstrate the acceptability of the scheme in all other regards.

7.5 In the light of the above, the application proposals are consistent with all the relevant planning policies and guidance at national and local levels. This application should, therefore, be considered acceptable by the Richmond Council, and we respectfully request that planning consent is granted without delay.



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