

Planning Statement

Residential Development

20-24 Tolworth Broadway, Tolworth, Surbiton KT6 7HL

March 2024

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1. Introduction

- 1.1. This Planning Statement is prepared on behalf of Jessona Investments Limited for the proposed re-development of 20-24 Tolworth Broadway, Tolworth, Surbiton KT6 7HL.
- 1.2. The proposal is for *“the part demolition of existing building and part redevelopment to provide a part-four, part-three, part-one storey building, with 9 new residential units, landscaping, and associated works”*.

Site and Surroundings

- 1.3. The existing building on the site is part-three, part-two storey structure, which is part of a Interwar terrace, with two commercial units at ground floor (Class E/former Class A1 use). The first floor of the building is ancillary back-of-house (office and warehouse/storage area) to the 20 Tolworth Broadway unit. Both units are currently vacant. There is one residential unit at second floor.
- 1.4. The ground floor fronts on to Tolworth Broadway, which forms part of a designated Shopping Frontage. The site is in Tolworth town centre, which is identified as a District Centre in the London Plan. The local planning authority is Royal Borough of Kingston upon Thames (henceforth: RBKT).
- 1.5. The rear of the terrace that the site is part of backs on to Burwood Close. Residential properties back on to the other side of Burwood Close.
- 1.6. The site has good transport connectivity (PTAL 3), with Tolworth Station being only an 8-minute walk from the site and providing direct services to Chessington South, London Waterloo and Clapham Junction. There are multiple bus stops with a 1-2 minute walk with direct services to Epsom, Putney Bridge and Kingston.
- 1.7. The existing townscape has a mixed character, including Victorian terraces, and more modern buildings. To the west of the site along Tolworth Broadway is Tolworth Tower, built in 1964, which is one of the tallest buildings in outer London.
- 1.8. The site is not in the setting of any statutorily listed structures or conservation areas.
- 1.9. The absence of potential heritage effects in a District Centre creates an ideal context for context-led site optimisation to provide new homes in a sustainable location.

Planning History

- 1.10. The site has been subject to various planning applications and prior approval applications, which are set out below.

Table 1: Relevant Site Planning History

Planning ref.	Description of Development	Applicant	Outcome	Decision Date
20/00939/PAS2R	Change of use of part of first floor from light industrial (Class B1c) to 9 flats (Class C3)	Manica Properties Limited	Refused	Apr-20
20/00940/PAR2R	Change of use from retail (Class A1) to 2 flats (Class C3)	Manica Properties Limited	Approved	Apr-20
20/00789/CPU	Change of use from Shop (Class A1) to Residential -2 Flats (Class C3) under Class G of the GPDO	Manica Properties Limited	Refused	May-20
20/01282/CPU	Change of use from A1 to C3 (2 x self-contained flats) under Class G of the GPDO	Manica Properties Limited	Refused	Jun-20
20/01694/PAR2R (DoC 21/01331/CLC)	Change of use from Retail (Use Class A1) to 3 self-contained flats (Use Class C3)	Manica Properties Limited (DoC Danish Hanif (no company))	Approved	Jul-20
20/01785/PAS2R	Change of use of part of first floor from light industrial (Class B1c) to 9no.x residential flats (Class C3)	Manica Properties Limited	Refused	Jul-20
20/02062/CPU	Change of use from A1 to C3 (2 x self-contained flats) under Class G of the GPDO	Manica Properties Limited	Approved	Oct-20
21/03052/FUL	Proposed part demolition of rear ground and first floor extension and erection of three storey extension to provide 8no. self-contained residential units with provision of cycle parking and refuse/recycling facilities	Danish Hanif (no company)	Withdrawn	Dec-20
23/01514/CEU	To demonstrate that the first floor's lawful use is Class E(a)	Jessona Investments Limited	Refused	Aug-23

- 1.11. The prior approval consents¹ for residential use were not implemented and have therefore expired.
- 1.12. The 2021 planning application² to redevelop the site to provide 8 residential units was submitted to the Council and subsequently withdrawn. The Applicant has advised the development team that feedback from the Council covered the following matters:
- Overlooking/privacy/light within the development and for residential units on adjacent sites;
 - Overlooking/privacy/separation distances with respect to the residential property at the rear; and
 - Loss of employment space.
- 1.13. The proposal has taken into consideration the advice provided by the Council on the withdrawn application.
- 1.14. An application for a Certificate of Lawful Use for the rear of first floor as Class E(a) was refused in August 2023. The Applicant's position was that the lawful use was Class E(a), as this area was used as an ancillary workshop to the 20 Tolworth Broadway retail unit. At the same time, the Council considered there was not definitive evidence to demonstrate that the rear of the first floor was used as Class E(a) for continuous period of 10 years.
- 1.15. The Applicant's position remains that the rear of the first floor is ancillary to the 20 Tolworth Broadway ground floor unit and is therefore Class E(a). In any case, the current proposal is now supported by sufficient evidence to justify the change in the commercial floorspace area, as set out in Section 3 of this report.

The Proposal

- 1.16. The development for which planning permission is sought comprises the partial demolition of the existing building (Class E use and C3 use) to provide a part four-storey, part three-storey, part-one storey building, retaining Class E space at ground floor and 9 residential units above, and associated works.
- 1.17. The front of the building which is part of the Interwar Period terrace would be retained. The majority of the ground floor structure would also be retained, with alteration only to the rear of the ground floor.
- 1.18. The proposal would create a courtyard which is accessible to residents at first floor level between the two proposed blocks.

¹ 20/00940/PAR2R, 20/01694/PAR2R, 20/02062/CPU

² 21/03052/FUL

2. Decision Making Framework

- 2.1. This section articulates the decision making framework for the proposal.
- 2.2. Planning applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise³.

Development Plan

- 2.3. The Development Plan is comprised of:
- The London Plan (March 2021)
 - The Kingston Core Strategy (April 2012)
 - South London Waste Plan (January 2012)

Material Considerations

- 2.4. A revised NPPF was published (December 2023) and is an important material consideration in decision making, particularly with regard to land use optimisation.
- 2.5. The NPPF also explains that *“Local planning authorities may give weight to relevant policies in emerging plans according to:*
- *“The stage of preparation of the emerging plan...*
 - *“The extent to which there are unresolved objections to relevant policies....and;*
 - *“The degree of consistency of the relevant policies in the emerging plan to this Framework”⁴.*
- 2.6. When weight is given to these emerging policies, they are material considerations.
- 2.7. RBKT is bringing forward its new Local Plan. A draft (Reg. 18) Local Plan ‘Vision Document’ underwent consultation from May 2019 to July 2019. Following a revision to the Local Development Scheme, a second Reg. 18 consultation took place from June 2021 to September 2021. This most recent consultation document carries limited weight given its early stage in the plan-making process.
- 2.8. Proposed changes to the NPPF were published for consultation on 13th February 2024, which seeks to strengthen planning policy for brownfield development. The consultation will end on 26th March 2024.

³ S38(6) Planning and Compulsory Purchase Act 2004

⁴ NPPF Paragraph 48

RBKT's Housing Delivery

- 2.9. The NPPF sets out the Housing Delivery Test as a means to incentivise LPAs to meet housing need. In boroughs/districts where housing delivery has been substantially below housing requirements (below 75%) for the preceding three years, the development plan is considered out of date under Paragraph 11(d) of the NPPF, and the 'tilted balance' is applied.
- 2.10. According to the Housing Delivery Test 2022, RBKT delivered 60% of its housing target for the preceding three years. This has resulted in a "buffer" of 20% being applied for the purposes of the five year housing land supply target and the 'tilted balance' being triggered.

RBKT's Housing Land Supply

- 2.11. Paragraph 76-77 on the NPPF sets out that where a local authority does not have a adopted plan of less than five years old it *"should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply"*. Paragraph 226 sets out that the four-year requirement applies where authorities have an emerging local plan which has been submitted for examination or has a Regulation 19 or 18 stage plan.
- 2.12. Where paragraph 226 applies, a development plan is considered out of date under Paragraph 11(d) if it cannot demonstrate a four-year housing land supply.
- 2.13. The most recent RBKT Five-year Housing Land Supply Statement (August 2023) represents its position on 1st April 2022. With the 20% buffer applied due to housing delivery shortfall the five-year housing requirement from 2022/23 to 2026/27 is 6,949 homes, however given RBKT has a Reg. 18 stage plan it is only required to demonstrate four years of housing land supply. The deliverable housing land supply in RBKT is 3,075 homes, which represents 2.21 years' worth of deliverable housing land supply⁵. Therefore, RBKT could not meet its four-year housing requirement as of 1st April 2022. Absent of any evidence to the contrary, it is understood that RBKT cannot demonstrate a four-year housing land supply as of February 2024.

Application of the Tilted Balance

- 2.14. The tilted balance set out in paragraph 11(d) therefore applies through both the Housing Delivery Test route and the Housing Land Supply route. The fact that the tilted balance is activated via both routes shows a persistent and pressing problem, and there is no remedy in the near future.
- 2.15. Application of the tilted balance means that planning permission should be granted unless:

⁵ Paragraph 18

- *“i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

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

2.16. For this proposal, no areas or assets that warrant consideration under limb (i) of Paragraph 11(d) are in the setting of the site, resolving limb (i). Limb (ii) of Paragraph 11(d), i.e., the tilted balance, would then be engaged, such that planning permission should be granted.

2.17. It is the Applicant's position that the proposal accords with the Development Plan and no material considerations indicate otherwise. Without prejudice to this position, if officers disagree and determine some degree of adverse impacts, whether with regard to townscape, transport or otherwise, any such adverse impacts would clearly not be of sufficient weight to *“significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole”*⁶ (emphasis added).

2.18. The Greater London Authority (GLA) and RBKT have several additional documents which are material considerations relevant to this application:

- RBKT Residential Design (November 2013)
- GLA Affordable Housing and Viability Supplementary Planning Guidance (SPG) (August 2017)
- GLA Housing SPG (March 2016)
- GLA Play and Informal Recreation SPG (September 2012)

⁶ Paragraph 11d limb ii

3. Land Use Principles

Residential Use

- 3.1. The proposal would optimise the site by increasing density, resulting in 9 residential units gross (8 units net) in a sustainable location.
- 3.2. The UK's housing crisis is addressed by the NPPF and the London Plan, both of which prioritise boosting housing supply and optimising land use. Both documents place great emphasis on the importance of *"making the best use of land"* and *"directing growth towards the most accessible and well-connected places"*⁷, and optimising residential densities to accommodate an expanding economy and growing population.
- 3.3. The proposed changes to the NPPF⁸, if adopted, underscore the importance of delivering new homes and express a significant positive weight on the delivery of new homes on brownfield land and increasing development intensity in urban areas. Whilst these changes are not yet formally adopted, the proposed language places a spotlight on the existing central theme of prioritising housing delivery within the development plan and the NPPF.
- 3.4. The development plan recognises the role of town centres as key areas for mixed-use residential-led development. Policy GG2 of the London Plan requires that those in planning and development *"proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling"*.
- 3.5. There is an identified need for 66,000 homes per year across London⁹. London Plan Table 4.1 sets out minimum housing targets for boroughs, and Policy H1 requires that planning decisions optimise potential housing delivery through sustainably located brownfield sites to meet these targets. Table 4.1 sets a 10-year target of 9,640 homes for Kingston, equating to 964 homes per year.
- 3.6. London Plan Policy H2 sets out that planning decisions should support well-designed homes on small sites (less than 0.25ha). Table 4.2 sets out that 2,250 homes of the 9,640 homes to be delivered as a minimum over 10 years in Kingston should come forward on small sites.
- 3.7. The proposed development is on previously developed land, which would reduce pressure to develop on the Metropolitan Green Belt. RBKT contains a substantial amount of Green Belt land, making it challenging to identify land suitable for housing. Unless controversial decisions are made to release and

⁷ London Plan, March 2021, Para 1.2.4

⁸ NPPF Consultation Draft, February 2024

⁹ London Plan, March 2021, Para 4.1.1

thus permanently extinguish portions of the Green Belt for residential development, previously-developed sites like this are essential for the provision of new homes. Even though the release of Green Belt land for housing is no longer a requirement in the NPPF, RBKT and other boroughs with a high proportion of Green Belt land nevertheless face competing priorities in preserving undeveloped land and providing the fundamental human need of adequate housing.

- 3.8. The proposal would provide 9 much-needed residential units on a small-site in a sustainable location in a town centre through intensification of previously-developed land, therefore achieving the aims of the development plan to make the best use of land for additional housing.

Town Centre Designation

- 3.9. More and higher density housing would not only enhance the vitality and viability of Tolworth town centre; it would also capitalise on public transport accessibility, thus advancing sustainability goals. The proposed development is only 600m from Tolworth Station, which provides direct National Rail services to Chessington South, London Waterloo and Clapham Junction. There are various bus-stops with a 1-2-minute walk, with direct services to. In addition, local bus services offer frequent services to Epsom, Putney Bridge and Kingston.
- 3.10. As the District Centre fulfils residents' needs, it benefits from the increased population. The proposed combination of residential and 'main town centre uses' creates a symbiosis whereby the residents enjoy convenient access to shops and services while these shops and services benefit from an enhanced customer base within the town centre itself.
- 3.11. The ground floor forms part of Tolworth Broadway's designated Shopping Frontage. These commercial units would remain as part of this proposal in accordance with Local Plan Policy DM19. However, it must be noted that Policy DM19 protect units in the now defunct Class A1 (retail), which has been replaced by Class E. Therefore, Policy DM19 is not relevant to the site, which protects strictly retail uses on the Shopping Frontage.
- 3.12. The proposal would not be a tall building under the minimum thresholds set in the London Plan.
- 3.13. The proposal therefore presents an opportunity to provide a high standard for emerging development in RBKT at an appropriate height and density.
- 3.14. Further, as established in Section 2 of this planning statement, RBKT cannot demonstrate a five-year housing land supply and there has been a significant undersupply against its housing requirement for the past three years, which puts further emphasis on the need for housing in the Borough.

Kingston Opportunity Area

3.15. While the precise boundaries have not yet been defined, the site is likely to fall within the Tolworth sub-area of the emerging Kingston Opportunity Area, which is identified in London Plan Policy SD1 as a corridor of redevelopment for new homes near stations that will be served by Crossrail 2.

Loss of Employment Floorspace

- 3.16. The two existing commercial units¹⁰ were previously retail use (use Class E(a)) but are now vacant.
- 3.17. The proposed development involves a limited loss of Class E floorspace of 135m² at the ground floor to accommodate access to the residential units from Tolworth Broadway. The proposed development would also result in a loss of Class E floor space at first floor, equating to 618m². The first floor contains an ancillary office area to the front and workshop/storage area to rear for the 20 Tolworth Broadway unit¹¹.
- 3.18. The current arrangement of units is characteristic of older units which often contain excess back of house space and inefficient layouts resulting in wasted space. Now, the existence of EPOS¹² and sophisticated stock management systems means that much more stock can be held in central warehouses (which is less costly floorspace) and delivered to outlets only when required, and typically with a 24 hour turnaround. With this in mind, there is much smaller demand for back of house floorspace. The Marketing Report by Jenkins Law, commercial property marketing specialists, have advised that generally retailers will want no more than 10-20% of their demise to be ancillary back-of-house areas.
- 3.19. Although the proposal would reduce the amount of commercial floorspace overall, the layout the commercial units would be reconfigured to maximise the amount of customer accessible floor space. The units would be open plan, allowing potential operators flexibility for a larger sales area. Chapter 6 of the Marketing Report sets out how the proposed configuration of the units would improve their let ability through increased sales floorspace.
- 3.20. Page 14 of the Design and Access Statement by GML Architects sets out the existing configuration of the ground floor units and an example configuration of how potential operators could divide the sales floor and back-of-house/ancillary areas. The existing and proposed sales floorspace and overall floorspace is set out in **Table 2** below:

Table 2: Existing and Proposed Commercial Unit Floorspaces

	20 Tolworth Broadway		22-24 Tolworth Broadway	
	Existing	Proposed	Existing	Proposed

¹⁰ 20 Tolworth Broadway and 22-24 Tolworth Broadway
¹¹ As per the Applicant’s position in the CLEUD application (ref: 23/01514/CEU)
¹² Electronic Point of Sale

Sales Floorspace (m ²)	134 (14%)	172 (79%)	96 (36%)	209 (86%)
Total Floorspace (m ²)	950 (100%)	217 (100%)	264	244 (100%)

- 3.21. The site's location in Tolworth District Centre requires the proposal to be assessed against Policy DM17. Policy DM17 requires up to two years marketing where non-employment uses are proposed to protect employment land and premises in District Centres to *“enhance their vitality and viability and promote employment growth through regeneration initiatives including new and improved facilities, improvements to the quality of the office stock, access and public realm”*.
- 3.22. Given that the proposal would retain the two commercial units, and increase the sales floorspace, which ultimately drives the number of sales and therefore the number of employees, the aims of Policy DM17 to protect employment floorspace to enhance the vitality and viability and promote employment growth through improved facilities are met. Therefore, marketing of the units in their existing arrangement is not required.
- 3.23. To the extent that the Council may consider the rear of first floor as a separate unit to the 20 Tolworth Broadway unit¹³, the Applicant has started marketing this area as a separate unit and there has been no expressions of interest in the property so far. The Marketing Report concludes the unit is not lettable as any alternative Class E uses due to lack of natural light, lack of amenities, the restricted layout and the site's location. The site would not be suitable for industrial Class B uses due to its proximity to existing residential uses.
- 3.24. It remains the Applicant's position that the rear of 20 Tolworth Broadway is ancillary to the ground floor unit, however even if this area was to be considered as a separate unit, the Marketing Report demonstrates that the premises is not lettable to alternative employment uses, and therefore the proposal complies with Policy DM17.

¹³ given the position taken in the Certificate of Lawful Use (ref: 23/01514/CEU) application

4. Providing High Quality New Homes

Unit Mix

- 4.1. The proposal would provide 9 new residential units. The mix is set out in Table 3 below:

Table 3: Proposed Residential Units

Unit Type	Number	Percentage
1B2P	3	33%
2B3P	1	22%
2B4P	1	
3B4P	3	44%
3B5P	1	

- 4.2. The proposal would accord with the LPA's preference in Local Plan Policy DM13 to provide a minimum 30% 3-bed units, ensuring a sufficient number of family-sized units.

Housing Quality

- 4.3. All residential units would meet or exceed the minimum space standards set out in London Plan Table 3.1. All residential units would have a floor-to-ceiling height of 3m, therefore exceeding the requirements of London Plan Policy D6.

Residential Amenity

- 4.4. Private amenity space would be provided to each flat as a balcony or garden. The flats would meet the minimum private amenity space standards set out in London Plan Policy D6.
- 4.5. Local Plan Policy DM10h requires that development proposals "*ensure adequate private and/or communal amenity space*". The recommended quantity of amenity space is defined in the Residential Design SPD.
- 4.6. Policy Guidance 13 in the SPD advises that new flats should provide 10m² of private amenity space per dwelling, plus 1m² per additional occupant. Policy Guidance 13 also states that the target level of private amenity space should be achieved "*unless it can be demonstrated that this would be at odds with the prevailing physical context and local character of development, e.g. town centre locations or where achieving these standards would compromise optimising housing potential*". The proposed development is in a District Centre, where housing potential should be optimised.

- 4.7. Policy Guidance 14 recommends 50m² of communal amenity space per development and where less than 10m² private amenity space is proposed per flat, the shortfall should be added to the total communal amenity space.
- 4.8. The proposal provides private amenity space to each unit and an area of communal amenity space measuring 185m².

Table 4: Private Amenity Space

Unit	Private Amenity Space (m ²)	Policy Guidance 13 Target (m ²)	Shortfall under 10m ² to be added to communal amenity target
1 (1B2P)	10	12	0
2 (2B4P)	12	14	0
3 (1B2P)	14	12	0
4 (3B4P)	18	14	0
5 (1B2P)	5	12	5
6 (3B4P)	7	14	4
7 (2B3P)	7	13	3
8 (3B4P)	7	14	4
9 (3B5P)	18	15	0
Total	98	120	16

- 4.9. The right-hand column in Table 4 shows the private amenity space shortfall of each unit relative to 10m². The sum of these figures is 16m², which results in a communal amenity space target of 66m² under Guidance 14.
- 4.10. The proposed development would provide a communal podium courtyard at first floor level measuring 185m², therefore greatly exceeding the minimum standards of Guidance 14 and ensuring that residents have access to shared space to strengthen community bonds.
- 4.11. Since Guidance 13 recognises the constraints of town centre sites, the proposed provision of private amenity space accords with the guidance.
- 4.12. Therefore, the proposal is in accordance with Guidance 13 and 14 and future residents would enjoy a good level of amenity space in line with Policy DM10h.

Aspects

- 4.13. All 9 of the units proposed would be dual aspect. This highlights the quality of the design, given the town centre location and desire not to prejudice the development potential of adjacent sites. The proposal is

therefore in accordance with London Plan Policy D6 Part C which sets out that housing development should maximise the provision of dual aspect units.

- 4.14. The proposal has been carefully designed to avoid overlooking within the development and to neighbours, which addresses the concerns the Council raised on the 21/03052/FUL application. Block B has been set back further from Burwood Close to provide allow 21m between the existing neighbours on Oakleigh Avenue. Further, overlooking will be diverted by splayed balconies.
- 4.15. To maintain privacy to the adjoining properties on Tolworth Broadway, the courtyard facing windows of Block A are set back from existing building line to avoid overlooking. The Block A side windows and the Block B windows facing the courtyard would be screened by the existing garden walls to avoid overlooking to immediate neighbours' gardens.
- 4.16. Good levels of privacy are also maintained for the proposed units within the development, with 21 metres between the windows of Block B and the balconies of Block A.

Daylight and Sunlight

- 4.17. The Daylight and Sunlight Assessment by Stinton Jones Partners sets out that the proposed development would provide a good level of daylight and sunlight to the proposed units. The proposed courtyard also receives good levels of sunlight.

5. Other Planning Considerations

Daylight and Sunlight Impact on Neighbours

- 5.1. An assessment of the impact of the development on neighbours has been undertaken by Stinton Jones Partnership, which concludes that the proposed development would not unduly reduce the daylight and sunlight of neighbouring properties.

Accessibility

- 5.2. Given the size of the development, it is impractical to provide lifts to the residential units and therefore level access cannot be provided. However, the units would be M4(1) compliant. This is set out as acceptable in the supporting text to London Plan Policy H2¹⁴.

Transport

- 5.3. The site has a PTAL of 3 and is sustainably located in a town centre with many amenities in walking cycling distance.
- 5.4. The proposal would be car-free, which is considered appropriate given the accessibility of the site.
- 5.5. A Travel Plan is also enclosed with the application, which promotes sustainable transport to and from the site. The measures specified by the Travel Plan would reduce the reliance on single-occupancy vehicle trips associated with the proposed development.
- 5.6. The bike store at ground floor would accommodate 17 long-stay cycle spaces. The proposal would also provide 4 on-street short-stay cycle spaces. The cycle parking would meet the minimum cycle parking standards set out in London Plan Table 10.2.

Delivery and Servicing

- 5.7. The enclosed Delivery and Servicing Plan demonstrates that due consideration has been given to the management of delivery and servicing vehicles. The existing servicing activity associated with the ground floor Class E unit would be unchanged as a result of the proposal, while the proposed residential units would not generate a significant level of deliveries.
- 5.8. The delivery and servicing associated with the proposed development would therefore be appropriate and would not impact on the local highways network.

¹⁴ Paragraph 4.2.9

Construction Management

- 5.9. An outline Construction Management Plan has been submitted. It sets out a strategy that aims to minimise disruption during the construction of the proposed development if it were approved. The Plan concludes that the construction of the proposed development would have a minimal impact on the local highway network.

Air Quality

- 5.10. The submitted Air Quality Assessment details the air quality conditions on the site. The assessment first sets out its scope, which includes an assessment of the impacts of the local area on the proposed development since the site is located in an Air Quality Management Area. Since there are less than 10 units proposed, and there is no car parking and no centralised energy processes proposed, assessment of the impacts of the proposed development on the local area is not required.
- 5.11. An Air Quality Neutral Assessment was also conducted, incorporating both transport and building emissions. It concludes that the proposed development would be air quality neutral.
- 5.12. The air quality conditions on site are therefore considered to be appropriate for residential development.

Noise

- 5.13. The enclosed Noise Assessment details the acoustic conditions on the site. Since the site is on the Tolworth Broadway, opening of windows cannot be relied upon to mitigate overheating. This would be incorporated into the overheating strategy for the proposal.
- 5.14. The proposed development accounts for these requirements through good acoustic design and, as a result, it is compliant with BS 8233: 2014. The Noise Assessment therefore concludes that the noise environment of the site should not be a constraint on the proposal.

Energy and Sustainability

- 5.15. The development has been designed to be energy efficient, in accordance with the Energy Hierarchy set out in the London Plan. The energy strategy for the development would include air source heat pumps and solar PV, which is described in more detail in the enclosed Energy and Sustainability Statement.
- 5.16. As a result of these measures, the proposal would exceed the 35% reduction in carbon emission over Part L of Building Regulations that is required by London Plan Policy SI2. The remainder of the reductions to achieve a fully net zero scheme would be secured by a carbon off-set payment.

Fire Safety

- 5.17. The enclosed Fire Statement demonstrates that the proposed development is compliant with London Plan Policy D12 and D5(B5). It would therefore minimise the risk of fire and provide a suitable evacuation strategy in the highly unlikely event of a fire occurring.

SUDS

- 5.18. The enclosed Drainage Strategy explains that utilising green roofs, permeable paving and water, the proposed development would lower the flood risk in the area by reducing the run-off rate.

Bat Roost Potential

- 5.19. The enclosed Ecology Report concludes that there are no evidence of bats, nesting birds or any other protected species on the site. It also concludes that the proposed planting would enhance the biodiversity, resulting in a net gain being delivered. The Report advises that a bat and bird box should be included in the development.

6. Conclusion

- 6.1. This proposal comprises the partial demolition and redevelopment of an existing building to provide a part-four, part-three storey, part-one storey building with retained Class E floorspace at ground floor and 9 residential units above, landscaping works and associated works.
- 6.2. The Council acknowledges it cannot demonstrate a five-year housing land supply and the Housing Delivery Test 2022 demonstrates that the Council has only delivered 60% of its housing requirement over the past three years. In light of this, delivering high quality new homes should be the top priority of the Council. In accordance with paragraph 11(d) of the NPPF, the tilted balance applies, and permission should be granted unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”*. The potential to develop a town centre site should be welcomed in a borough in which delivering housing has been challenging.
- 6.3. All appropriate technical and professional documents have been provided as part of this full planning application. The proposal is in accordance with the development plan, and no material considerations indicate otherwise. The development becomes even more acceptable once the tilted balance is applied.

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