

PART 6: Planning Applications for Decision**Item 6.****1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 19/05373/FUL
 Location: 10 Willett Road, Thornton Heath
 Ward: West Thornton
 Description: Demolition of existing buildings, erection of 5 storey building with a basement comprising 40 flats (2 x 1 bedroom, 26 x 2 bedroom, and 12 x 3 bedroom) and provision of associated basement car and motorcycle parking, and provision of associated refuse storage and cycle storage, and provision of associated landscaping and amenity areas, formation of a vehicle access and a pedestrian access from Grove Road.
 Drawing Nos: WIL-EX-1 ; WIL-PR-1C ; WIL-PR-2C ; WIL-PR-3C ; WIL-PR-4C ; WIL-PR-5C ; WIL-PR-6C ; WIL-PR-7C ; WIL-PR-8C ; WIL-PR-9C ; WIL-PR-10C ; WIL-PR-11C ; WIL-PR-12C ; WIL-PR-13C ; WIL-PR-14C ; WIL-PR-15C ; WIL-PR-16C ; 19/0903 Rev E ; 19/0904 Rev B ; landscape management plan (submitted 03/08/2020).
 Applicant: Foxley Holt Ltd
 Agent: Peter Pendleton & Associates
 Case Officer: Dean Gibson

Proposed Residential Accommodation

| | 1 bed | 2 bed | 3 bed | Total |
|----------|--|--|--|-------|
| Proposed | 2 (5%) (1x1bed/1person) 1x1bed/2person | 26 (65%) (23 x 2bed/3person) (3x2 bed/4person) | 12 (15%) (7x3bed/5person) (5x3bed/6person) | 40 |

Car Parking, Motor Cycle and Cycle Storage Provision

| | Total Number of car parking spaces | Number of Disabled Spaces | Number of motorcycle spaces | Number of cycle parking spaces |
|-------------|---|--|-----------------------------|---|
| Residential | 19 car spaces (18 in basement and 1 at ground level) | 5 car spaces (4 in basement and 1 at ground level). | 7 (in basement) | 96 (86 in basement and 10 at ground level). |

2.0 BACKGROUND

- 2.1 This application was reported to Planning Committee (Item 6.4) on 2 July 2020 when consideration was deferred as Members made a request for significantly more new tree planting to be provided within the landscaping scheme. The application had been reported to Planning Committee because objections above the threshold in the Committee Consideration Criteria had been received. The application is referred back to Planning Committee for a decision and the original recommendation and report is provided further below.

3.0 AMENDMENTS RECEIVED

- 3.1 As requested, the applicant submitted 3 August 2020 an amended masterplan landscaping scheme for the ground level showing more tree planting across the site, together with more tree planting for the 4th floor roof terrace.
- 3.2 In total, 25 trees would be planted at ground level and this includes 18 semi-mature trees, with the remainder of the trees being multi-stemmed. A further 5 ornamental trees in planters fitted with automated irrigation systems would be provided on the 4th floor roof terrace. A landscape management plan has also been submitted.

Previous Landscaping Scheme

Amended Landscaping Scheme



4.0 CONSIDERATION OF AMENDMENTS

- 4.1 The proposed tree planting schedule within the masterplan landscaping scheme and landscape management plan has been reviewed by the Council's tree officer, who finds the proposed tree planting within the landscape scheme to be acceptable. Officers are satisfied that the amended landscaping scheme and the significant number of additional trees proposed would provide a pleasant environment for future residential occupiers of the flats and would assist in promoting biodiversity and make a contribution towards combatting climate change.

PLANNING COMMITTEE AGENDA

3 July 2020

PART 6: Planning Applications for Decision

Item 6.

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| Ward: | West Thornton |
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vehicle access and a pedestrian access from Grove Road.

Drawing Nos: WIL-EX-1 ; WIL-PR-1C ; WIL-PR-2C ; WIL-PR-3C ; WIL-PR-4C ; WIL-PR-5C ; WIL-PR-6C ; WIL-PR-7C ; WIL-PR-8C ; WIL-PR-9C ; WIL-PR-10C ; WIL-PR-11C ; WIL-PR-12C ; WIL-PR-13C ; WIL-PR-14C ; WIL-PR-15C ; WIL-PR-16C ; WIL-PR-17B.

Applicant: Foxley Holt Ltd
 Agent: Peter Pendleton & Associates
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Proposed Residential Accommodation

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Car Parking, Motor Cycle and Cycle Storage Provision

| | Total Number of car parking spaces | Number of Disabled Spaces | Number of motorcycle spaces | Number of cycle parking spaces |
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| Residential | 19 car spaces (18 in basement and 1 at ground level) | 5 car spaces (4 in basement and 1 at ground level). | 7 (in basement) | 96 (86 in basement and 10 at ground level. |

- 1.1 This application is being reported to Planning Committee because objections above the threshold in the Committee Consideration Criteria have been received.

2.0 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission prior to the completion of a legal agreement to secure the following:
- a) 50% Affordable housing – (60% Affordable rent (London Affordable Rent) and 40% Shared Ownership)
 - b) Local Employment and Training contribution
 - c) Financial contribution towards air quality
 - d) Financial contribution and provision (including membership) of car club space on Grove Road.
 - e) Financial contribution towards sustainable transport mitigation.
 - f) Restriction of car parking permits in any future CPZ.
 - g) Financial contribution for Carbon off- setting.
 - h) Monitoring fees
 - j) And any other planning obligations considered necessary
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the legal agreement indicated above.
- 2.3 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. The development shall be begun with 3 years of planning permission.
2. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
3. Details and samples of materials to be submitted and detailed elevational drawings (Scale 1:10) showing window reveals for approval.
4. Details of Landscaping and Boundary treatments to be submitted for approval.
5. Details of children's play-space to be submitted for approval.
6. Details of following to be submitted for approval : Finished floor levels ; visibility splays to vehicle accesses ; security lighting ; privacy screens to balconies ; privacy screens to roof-top communal area ; electric vehicle charging points for cars , electric vehicle charging points for cycles ; bulky storage area for refuse.
7. Inclusive access M4(2) and M4(3).
8. Car parking layout and cycle storage provision to be provided as specified.
9. Details of car parking ramp to be submitted for approval.
10. Details of signal control lights to ramp to be submitted for approval.
11. Construction Logistics Plan to be submitted for approval
12. Full Travel Plan to be submitted for approval.
13. Full Delivery and Service Plan to be submitted for approval.
14. Minimum 35% Carbon Reduction to be achieved.
15. 110litre Water usage.
16. Accord with mitigation outlined in Noise Assessment
17. SuDS details (In accordance with Flood Risk Assessment submitted) and requiring further clarification on: i) attenuation tank invert and cover levels and ; ii) An ownership plan to accompany the submitted site-specific maintenance management plan for proposed SuDS.
18. Contaminated Land report and remediation strategy to be submitted
19. Details of connection to foul and/or surface water drainage system to be submitted
20. No infiltration of surface water drainage into the ground
21. No piling or any other foundation designs using penetrative methods without consent of the LPA.
22. Public art details to be submitted for approval.
23. Secure By Design details to be submitted for approval.
24. Re-instatement of redundant dropped kerbs - Details of S278 agreement to be submitted for approval.
25. Archaeology – Written Scheme of Investigation to be submitted for approval
26. No windows to be provided other than those shown on approved plans
27. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Granted subject to a Section 106 Agreement
- 2) Community Infrastructure Levy
- 3) Code of practise for Construction Sites
- 4) Light pollution
- 5) Requirement for ultra-low NOx boilers
- 6) Nesting birds in buildings
- 7) TfL Informative – Mayor's Vision Zero initiative.
- 8) Thames Water informative
- 9) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

- 2.3 That the Committee confirms that adequate provision has been made by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.
- 2.4 That if by 3rd October 2020 the legal agreement has not been completed, the Director of Planning and Strategic Transport is delegated authority to refuse planning permission.

3.0 PROPOSAL AND LOCATION DETAILS

- 3.1 The proposal is an application for full planning permission:
- 3.2 The proposal includes the following:
- Demolition of existing buildings.
 - Erection of a 5 storey building with basement parking.
 - Provision of 40 residential flats.
 - Provision of 18 residential car parking spaces in basement (including 4 disabled spaces).
 - Provision of 1 disabled space at ground level.
 - Provision of 7 motorcycle spaces in basement.
 - Provision of associated cycle storage and refuse storage.
 - Provision of communal external amenity space and children's play space
- 3.3 During the course of the application amended plans have been received. The main alterations to the scheme design have been as follows:
- Stepped footprint streamlined through removal of front triangular and rectangular cantilevers.
 - Secondary southern flank balconies removed.
 - Secondary rear elevation balconies removed.
 - Bin store towards northern side of site sited within fabric of building (rather than being separate structures).
 - Private ground floor gardens provided with grass (instead of hardstanding) to assist drainage.
 - Corrections made between mix of accommodation of flats shown in floor layouts and tabular accommodation schedules shown in floor layouts to ensure consistent information.
 - Raised parapet to roof applied the whole way around the roofline.
 - Re-positioning of children's play space from adjacent to southern flank of building to front of building.
 - Removal of communal outdoor gym adjacent to southern flank elevation and replacement with one additional off-street parking disabled space and an eco-woodland area.

Site and Surroundings

- 3.4 The site has an area of 0.19ha and consists of a Tier 4 Employment Site and is located at the western end of Willett Road. The site consists of mixed commercial uses. The site has single/two storey buildings and comprises 9 commercial units, with 6 of them occupied and 3 vacant. These include a single storey warehouse style MOT garage (sui generis use) abutting the southern boundary of the site accessed from Willett Road. There is a two storey linear brick/render warehouse style building with crittel style windows and pitched roof form also accessed from Willett Road. It comprises light industrial and storage B1c and B8 uses, including a furniture storage unit, stove enamellers and steel fabrication unit. It abuts the western boundary of the site. The building has some single storey additions projecting forward of it into the site and there is a concrete ramp leading up to a first floor of one of the units. There is a single storey brick building with corrugated metal roof abutting the northern boundary of the site, which appears to have accommodated an ancillary office use, and there is also another MOT garage facing onto and accessed from Grove Road. The surface of the site is all hardstanding and has informal off-street parking. There are high boundary walls to the perimeter of the site.
- 3.5 The site is bounded to the east by the rear gardens of two storey houses at 3 Willett Road and 1 to 9 Willett Place, although there is an alleyway behind 3 and 5 Willett Place. The site is bounded to the west by the rear gardens of two storey houses at 14 to 32 Fairlands Avenue, although there is an alleyway behind all those houses except 32 Fairlands Avenue (which has a garage at the end of its rear garden). The site is bounded to the south by a recently completed new major residential development (50 flats) in 2 four storey buildings at 7 Willett Road/2-12 Thornton Road. Further to the east of the site is a construction site, also for a new major development (30 flats) in a three to six storey building at 777 London Road, facing directly south onto Thornton Heath Pond.



- 3.6 The site is adjacent to Local Centre and Primary Shopping Centre and it is subject to the Place Specific Policy DM48 – Thornton Heath of the Croydon Local Plan 2018. The site is near to London Road (A23) which is classified as a part of the Transport for London Strategic Road Network (Red Route) and

there are local on-street parking restrictions in the vicinity. It has Public Transport Accessibility Level (Ptal) Rating of 3, so it is considered as moderately accessible by public transport. The site is within an Archaeological Zone and is within an area of low flood risk from fluvial flooding and surface water flooding.

Relevant Planning History

3.7 19/00519/Pre – A pre-application for the re-development of the site was submitted in 2019.

3.8 Planning History for Adjacent and Nearby Sites

| Planning Permission | Site Address | No. of Storeys | No. of Flats |
|--------------------------|--------------------------------------|----------------|--------------|
| 15/02507/P 12/02479/P | 7 Willett Road / 2-12 Thornton Road | 4 | 50 |
| 16/05085/FUL | Surrey Van 777 London Road. | 3 / 4 / 6 | 30 |
| 17/05266/FUL | 755-757 London Road | 4 | 7 |
| 17/00663/FUL | Wheatsheaf Pub 757 - 759 London Road | 5 | 13 |

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The loss of employment use is acceptable in the context of the scheme.
- The principle of a residential development is acceptable given the national and local need for housing and the brownfield status of the land.
- The proposal includes 100% on site affordable housing provision.
- The proposal includes a significant number of family units.
- The scheme has been amended so that the design and appearance of the development is appropriate. Whilst acknowledged that the mass of built form is significantly greater than the existing structures of site, the massing and height of the development would be in context with the recent transitions in the surrounding built environment.
- The living conditions of adjacent occupiers would be protected from undue harm subject to conditions.
- The living standards of future occupiers are satisfactory (in terms of overall residential quality) and would comply with the Nationally Described Space Standard (NDSS).
- The level of parking and impact upon highway safety and efficiency would be acceptable.
- Sustainability aspects have been properly assessed and their delivery can be controlled through planning obligations and planning conditions.
- Secure by Design principles can be secured subject to condition.

5.0 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

Lead Local Flood Authority (LLFA) (Statutory Consultee)

5.2 The LLFA have no objection to the proposed drainage strategy subject to further clarification on i) attenuation tank invert and cover levels and ; ii) an ownership plan to accompany the submitted site-specific maintenance management plan for proposed SuDS.

- 5.3 The approved drainage strategy and issues of clarification can be secured by condition.

Transport for London (TfL) (Statutory Consultee)

- 5.4 No objection from TfL, although they recommend conditions to secure a Construction Management Plan and a Delivery and Servicing Plan.
- 5.5 The conditions as recommended by TfL are listed in the schedule of proposed conditions.

Historic England (Archaeology) (Statutory Consultee)

- 5.6 They advise *the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation*. They further advise *although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that it is considered a two stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation*.
- 5.7 A condition as recommended by Historic England is listed in the schedule of proposed conditions.

Thames Water

- 5.8 Thames Water raise no objection to drainage, surface water, or waste water issues. Advice they give on these matters can be added as an informative.

Crime Prevention Officer

- 5.9 The development is suitable to achieve Secured by Design accreditation, so a 'Secured by Design' condition should be attached to any permission that may be granted in connection with this application and that the wording is such that the development will follow the principles and physical security requirements of Secured by Design.
- 5.10 A condition as recommended by the Crime Prevention Officer is listed in the schedule of proposed conditions.

6.0 LOCAL REPRESENTATION

- 6.1 The application has been publicised by way of 32 letters of notification to neighbouring properties in the vicinity of the application site. Site notices were also erected in the vicinity of the site and a press note published.
- 6.2 The number of representations received from neighbours in response to notification and publicity of the application are as follows:

No of individual responses: 24 Objecting: 24 Supporting: 0

- 6.3 The following issues were raised in representations. Those objections that are material to the determination of the application, are addressed in

substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

Summary of Objection Comments

| Objection | Officer Comment |
|---|-------------------------------------|
| Townscape | |
| 1. Overdevelopment | See paragraph 8.14 below. |
| 2. Height out of character | See paragraphs 8.13 and 8.18 below. |
| Amenity of Adjacent Residents | |
| 3. Loss of outlook 4. Loss of privacy 5. Loss of light | See paragraphs 8.28 to 8.32 below. |
| 6. Increased noise | See paragraph 8.33 below. |
| 7. Increased anti-social behaviour | See paragraph 8.34 below. |
| Transport and Highways | |
| 8. Increased traffic 9. Increased parking | See paragraphs 8.36 to 8.41 below. |
| 10. Adverse effect of construction works | See paragraphs 8.33 and 8.49 below. |
| Other Matters | |
| 11. Effect of cumulative developments 12. Affect on local services | See paragraph 8.21 below. |
| 13. Loss of employment use | See paragraphs 8.5 to 8.7 below. |

7.0 RELEVANT PLANNING POLICIES AND GUIDANCE

- 7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2016, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

Emerging New London Plan

- 7.2 Whilst the emerging New London Plan is a material consideration, the weight afforded is down to the decision maker linked to the stage a plan has reached in its development. The Plan appears to be close to adoption. The Mayor's Intend to Publish version of the New London Plan has been responded to by the Secretary of State. Therefore, the New London Plan's weight has increased following on from the publication of the Panel Report and the London Mayor's publication of the Intend to Publish New London Plan. The Planning Inspectors' Panel Report accepted the need for London to deliver 66,000 new homes per annum (significantly higher than existing adopted targets), but questioned the London Plan's ability to deliver the level of housing predicted on "small sites" with insufficient evidence having been presented to the Examination to give confidence that the targets were

realistic and/or achievable. This conclusion resulted in the Panel Report recommending a reduction in London's and Croydon's "small sites" target.

- 7.3 The Mayor in his Intend to Publish New London Plan has accepted the reduced Croydon's overall 10 year net housing figures from 29,490 to 20,790 homes, with the "small sites" reduced from 15,110 to 6,470 homes. Crucially, the lower windfall housing target for Croydon (641 homes a year) is not dissimilar to but slightly larger the current adopted 2018 Croydon Local Plan target of 592 homes on windfall sites each year.
- 7.4 It is important to note that in the Intend to Publish New London Plan, that the overall housing target in the New London Plan would be 2,079 new homes per annum (2019 – 2029) compared with 1,645 in the Croydon Local Plan 2018. Therefore, even with the possible reduction in the overall New London Plan housing targets, assuming it is adopted, Croydon will be required to deliver more new homes than our current Croydon Local Plan 2018 and current London Plan (incorporating alterations 2016) targets.
- 7.5 For clarity, the Croydon Local Plan 2018, current London Plan (incorporating alterations 2016) and South London Waste Plan 2012 remain the primary consideration when determining planning applications.
- 7.6 Policy 3.3 of the London Plan 2016 recognises the pressing need for more homes in London and Policy 3.8 states that Londoners should have a genuine choice of homes which meet their requirements for different sizes and types of dwellings in the highest quality environments. The impact of the draft London Plan is set out in paragraph 7.2 to 7.5 above.
- 7.7 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in February 2019. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:
- Achieving sustainable development;
 - Making effective use of land;
 - Delivering a sufficient supply of homes;
 - Promoting healthy and safe communities;
 - Promoting sustainable transport.
- 7.8 The main policy considerations raised by the application that the Committee are required to consider are:
- 7.9 Consolidated London Plan 2016
- 3.1 Ensuring equal life chances for all
 - 3.3 Increasing housing supply
 - 3.4 Optimising housing potential
 - 3.5 Quality and design of housing developments
 - 3.6 Childrens/young peoples play & informal recreation areas
 - 3.8 Housing choice
 - 3.9 Mixed and balanced communities
 - 3.11 Affordable housing targets
 - 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

- 3.13 Affordable housing thresholds
 - 4.4 Managing industrial land and premises
 - 5.1 Climate change mitigation
 - 5.2 Minimising carbon dioxide emissions
 - 5.3 Sustainable design and construction
 - 5.12 Flood risk management
 - 5.13 Sustainable drainage
 - 5.16 Waste net self sufficiency
 - 6.3 Assessing effects of development on transport capacity
 - 6.9 Cycling
 - 6.13 Parking
 - 7.2 An inclusive environment
 - 7.3 Designing out crime
 - 7.4 Local character
 - 7.6 Architecture
 - 7.8 Heritage Assets and Archaeology
 - 7.14 Improving air quality
 - 7.19 Biodiversity and access to nature
 - 7.21 Woodlands and trees
- 7.10 Croydon Local Plan 2018
- SP1 The Places of Croydon
 - DM48 Thornton Heath
 - SP2 Homes
 - DM1 Housing choice for sustainable communities
 - SP3 Employment
 - SP3.2 Innovation, investment and enterprise
 - SP4 Urban design and local character
 - DM10 Design and character
 - DM13 Refuse and recycling
 - DM14 Public art
 - DM15 Tall buildings
 - DM16 Promoting healthy communities
 - DM18 Heritage assets and conservation (relevant to Archaeology)
 - DM16 Promoting healthy communities
 - SP5 Community facilities
 - DM19 Protecting and providing community facilities
 - SP6 Environment and climate change
 - SP6.3 Sustainable design and construction
 - DM23 Development and construction
 - DM25 Sustainable drainage systems and reducing flood risk
 - SP7 Green grid
 - DM27 Biodiversity
 - DM28 Trees
 - SP8 Transport and communications
 - DM29 Promoting sustainable travel and reducing congestion
 - DM30 Car and cycle parking in new development
- 7.11 There is relevant Supplementary Planning Guidance as follows:
- London Housing SPG March 2016
 - Croydon Suburban Design Guide Supplementary Planning Document April 2019

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the Planning Committee are required are as follows:

1. Principle of development
2. Affordable housing and housing mix
3. Townscape and visual impact
4. Housing quality for future occupiers
5. Residential amenity for neighbours
6. Parking and highway safety
7. Flood risk
8. Sustainability
9. Trees, landscaping and biodiversity
11. Other planning matters

Principle of Development

- **New Housing**

8.2 This application must be considered against a backdrop of significant housing need, not only across Croydon, but also across London and the south-east. All London Boroughs are required by the London Plan to deliver a number of residential units within a specified plan period. In the case of the London Borough of Croydon, there is a requirement to deliver a minimum of 32,890 new homes between 2016 and 2036 (Croydon's actual need identified by the Croydon Strategic Housing Market Assessment would be an additional 44,149 new homes by 2036, but as there is limited developable land available for residential development in the built up area, it is only possible to plan for 32,890 homes). This requirement is set out in policy SP2.2 of the Croydon Local Plan (CLP) (2018), which separates this target into three relatively equal sub targets with 10,760 new homes to be delivered within the Croydon Opportunity Area, 6,970 new homes as identified by specific site allocations for areas located beyond the Croydon Opportunity Area boundary and 10,060 homes delivered across the Borough on windfall sites. The draft London Plan, which is moving towards adoption (although in the process of being amended) proposes increased targets which need to be planned for across the Borough. In order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon, the Council will apply a presumption in favour of sustainable development of new homes.

8.3 This presumption includes Thornton Heath, which is identified in the 'Places of Croydon' section of the CLP (2018) as being an area for '*Moderate residential growth with some opportunity for windfall sites*'. The Croydon Suburban Design Guide (2019) sets out how suburban intensification can be achieved to high quality outcomes and thinking creatively about how housing can be provided on windfall sites. As is demonstrated above, the challenging targets will not be met without important windfall sites coming forward, in addition to the large developments within Central Croydon and on allocated sites.

8.4 The application is for a residential development providing new and additional homes within the borough, which the Council is seeking to provide. The site is located within an existing residential area and as such providing that the proposal accords with all other relevant material planning considerations, the principle of development is supported.

- **Employment Use**

- 8.5 The application site is designated as a Tier 4 scattered employment site. It therefore provides protection for existing industrial activities and support uses that fall within the B1b/B1c, B2, B8 and sui generis Use Classes.
- 8.6 In order to demonstrate that there is no demand for a scheme comprised solely of B1b/B1c, B2, B8 and sui generis Use Classes uses in Tier 4 locations, the Council would usually require marketing evidence that there is no demand for continuing employment uses on the site. Generally, these type of employment sites are afforded the least protection by policy, as it is preferential for employment uses to be retained/provided either within specific industrial estates (Tier 1 and Tier 2 locations) or District Centres (Tier 3 locations) and away from existing residential areas.
- 8.7 The total gross internal floor area of the employment uses on site is 1546 square metres. In this case, 882 square metres (57%) of the employment floorspace is in a sui generis use (i.e. used for car repairs, MOT and car storage). This type of employment use is not specifically protected by the employment policy. The first storey of the main building on site are not in use as the ramp and floor are considered unsafe. Therefore, only 196 square metres (12%) of the employment floorspace is used for light industrial uses. The remaining 468 square metres (31%) of floorspace is vacant or unusable. Marketing of the site for employment purposes was undertaken by a local chartered surveyor company and national commercial listings website in February 2018 and August 2018. No expression of interest for the site for a continued employment purposes was received. As advised above the area is one in transition as many of the nearby former commercial sites have been re-developed for residential use. Taking into account these circumstances it is considered the applicant has demonstrated there is likely to be no continuing demand for employment use on the site. Therefore, there is no objection to the loss of employment floorspace that would result from the proposal. In this particular case the loss of the employment use would also make provision for much needed affordable housing provision on site. Furthermore, future employment opportunities for local people at the construction phase of the development would be captured as part of a Local Employment training Strategy in a Section 106 legal agreement.

- **Community Use**

- 8.8 The marketing of the site for employment purposes, as referred to above, and a pre-consultation exercise undertaken by the applicant with the local community elicited no expressions of interest from local community groups in taking on the site for community uses.

Affordable Housing and Housing Mix

- 8.9 The CLP (2018) states that to deliver affordable housing in the Borough on sites of ten or more dwellings, the Council will negotiate to achieve up to 50% affordable housing, subject to viability and will seek a 60:40 ratio between affordable rents homes and intermediate (including shared ownership) homes unless there is an agreement with a Registered Provider that a different tenure split is justified. CLP Policy SP2.5 requires a minimum provision of affordable housing to be provided either:
- As preferably as a minimum level of 30% affordable housing on the same site as the proposed development or, if 30% on site provision is not viable;

- As a minimum level of 15% affordable housing on the same site as the proposed development, plus a Review Mechanism entered into for the remaining affordable housing (up to the equivalent of 50% overall provision through a commuted sum based on a review of actual sales values and build costs of completed units) provided 30% on site provision is not viable and construction costs are not in the upper quartile.
- 8.10 The proposal is that 100% of the units would be provided as affordable housing. The Council would seek to capture 50% of habitable rooms on-site affordable housing provision as a minimum. The tenure would be 60% Affordable rent (London Affordable Rent) and 40% Shared Ownership). Based on the above finding the proposed affordable housing is acceptable and would meet policy requirements. The proposed affordable housing and review mechanisms can be secured through Section 106 legal agreement.
- 8.11 Policy SP2.7 seeks to ensure that a choice of homes is available to address the borough's need for homes of different sizes and that this will be achieved by setting a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms. Policy DM1.1 requires a minimum provision of homes designed with 3 or more bedrooms on sites of 10 or more dwellings. In urban locations with a PTALs of 3 such as this, the requirement is for 60% 3+ bedroom units. The policy goes on to say that within three years of the adoption of the plan, where a viability assessment demonstrates that larger homes would not be viable, an element may be substituted by two-bedroom (four person) homes.
- 8.12 The development proposes a unit mix comprising of 2 x 1 bedroom (5%), 23 x 2 bedroom/3 person (57%), 3 x 2 bedroom/4 person (8%) and 12 x 3 bedroom (30%). When including the two-bedroom (four person units), the scheme would provide 38% family sized units. The proposal provides a net gain in family accommodation. While it falls short in terms of the provision of family accommodation this is as a result of the specific accommodation requirements of the housing association involved in bring the scheme forward. On that basis the proposed amount of family units would be acceptable.

Townscape and Visual Impact

- 8.13 In Thornton Heath the relevant Place Policy DM48.2 of the CLP makes provision for the development of new buildings between 3 storeys and up to a maximum of 6 storeys in height while ensuring a balance is struck between strengthening and enhancing the character and facilitating growth.



- 8.14 The scheme would have a density of 604 habitable rooms per hectare. Emerging London Plan policy does not set out specific density ranges for new residential development. Instead, it advises that it is particularly important to scrutinise the qualitative aspects of the proposed built form, massing, site layout, external spaces, internal design and ongoing management of a proposed residential development through a design-led process.
- 8.15 The existing buildings on the site have a functional industrial appearance and are of little architectural or historic importance. There is no objection to their demolition.
- 8.16 The proposed layout would provide a linear form on a north-south axis. Its frontage would face east. It would have an articulated frontage of four storeys with a setback fifth storey. One vehicle access, principally for service vehicles, would be provided from Willett Road, while the other vehicle access from Grove Road would lead directly to the basement car park. There would be extensive soft landscaping, including a childrens' play area in the front of the building and a pedestrian route through the site linking Willett Road to Grove Road.



- 8.17 The massing of the building would be acceptable and articulated in a manner that would respect the urban grain and modulation of the residential house plots on the adjacent roads.



② View S from Frnt 86 Grove Road

③ Grove Road/Fairlands junction View to site

8.18 It is considered that its 5 storey height would be in context with the series of 4 to 6 storey buildings that have recently being constructed around and near to the Thornton Heath Pond roundabout. For example, the scheme under construction at 7 Willett Road is up to 4 storeys in height and the scheme at the former Surrey Van Centre plot to the east of the site is up to 6 storeys in height. Views towards the proposed 5 storey building from London Road would be largely obscured by the existing built form and those nearby sites under construction. The proposed block would be positioned away from the boundaries of Grove Road and Willett Place and its stepped footprint and setbacks would provide generous spaces around the built form. Therefore, the proposed massing and overall of the buildings on site would be acceptable in the context of the site and surroundings. The proposed built form would have a contemporary appearance, yet the elevations would reflect local character and create visual interest. The buildings would be formed principally of red bricks (Claydon Red) and metal grey seamed cladding. Laser cut bronze metal balustrades would be used to good effect for the balconies. The quality of the bricks and other external finishes can be further secured by condition. Variety in the articulation of the elevations would be achieved through the proposed set backs. The mix of recessed balconies and cantilevered balconies is also supported and would again add to the visual interest of the building. The appearance of the development would therefore accord with the Place Policy for Thornton Heath which requires new development around the Thornton Heath Pond and its environs to complement the existing predominant building heights of 3 storeys up to a maximum of 6 storeys and incorporate red multi-stock brick as the predominant facing material.



8.19 A very positive part of the scheme is that it would provide a connected public route from Willett Road through to Grove Road. The proposal would result in an active frontage to that route and the overall appearance of the ground floor frontage would align well with the upper floors of the block. Effectively, the route through the site would provide a new public realm that would be soft landscaped and attractive and safe for pedestrians to walk or cycle through. The full details of the landscaping can be secured by condition as well as a maintenance plan.



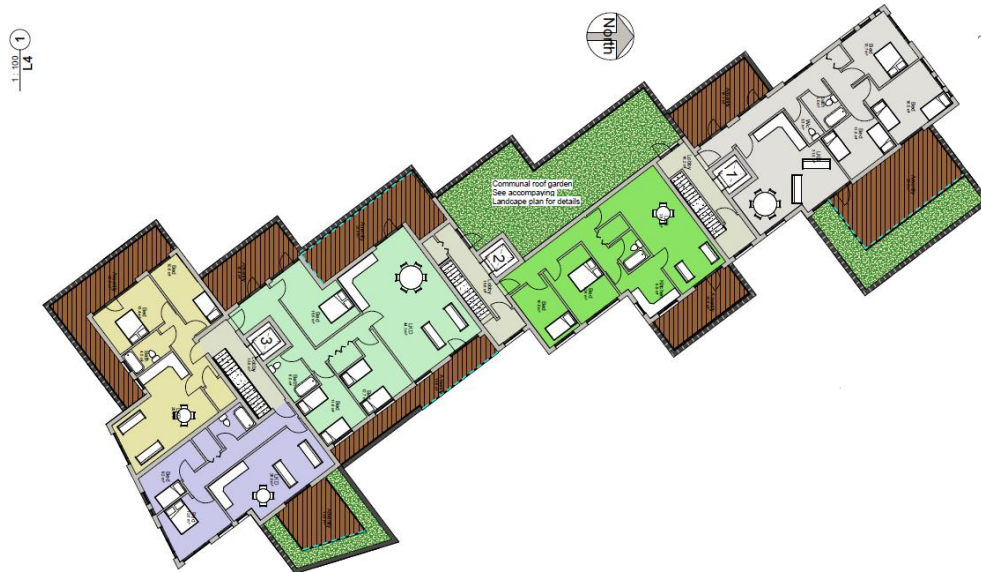
- 8.20 The site would be laid out to reflect its proposed residential use and a landscape plan has been submitted in support of the application. There would be one pedestrian route through the site and it would connect Willett Road to Grove Road. This connecting route through the site would have landscaping specifically designed to prevent motor vehicles using it as a short-cut between the roads. An off-street parking area for one delivery and servicing vehicle would be provided at ground level towards the southern end of the site. A ground level communal garden of 88 square metres area with provision made for a wildlife meadow, which could provide native and wildlife friendly planting would also be provided. The garden would also include childrens' play space of 33 square metres and its position to the front of the block would provide natural surveillance over it. The ground floor communal amenity area would also be supplemented by a communal residential roof terrace at 4th floor.
- 8.21 The application site is within an established residential area and one which there is an evident transition of high-density flatted development around Thornton Heath Pond and its environs. Its footprint is comparable in size to other new flatted development that has recently come forward in the locality and its individual and cumulative impact on local character is considered to be acceptable as assessed above. The impact of the development on the neighbouring highway network (including on and off street car parking capacity) is acceptable as considered further on in this report. The proposal would result in a development that would have an acceptable impact on the appearance of the street scene and accords with the national and local requirements to intensify the development potential of sites and to optimise the delivery of additional housing in a sustainable manner. It is also in a location that is accessible to local shops and services.
- 8.22 Therefore, having considered all of the above, against the backdrop of employment provision, community use provision, and housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of respecting local character.
- 8.23 As a major development the scheme would need to make provision for a public art installation within the grounds of the site. This matter can be secured by condition.

Housing Quality for Future Occupiers

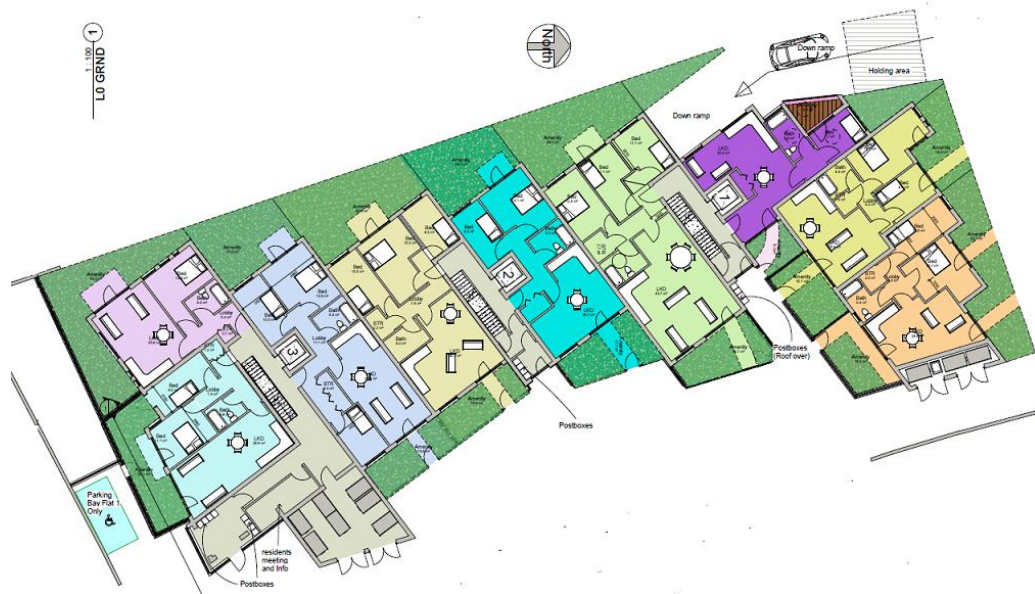
- 8.24 All of the proposed new units would comply with or exceed the internal dimensions required by the Nationally Described Space Standards (NDSS). All would have private external amenity spaces in the form of

private garden area or balconies to meet minimum space standards. There would provision made for communal amenity spaces to be provided at ground level adjacent to the park and in a communal roof terrace. Children's play space would be provided within the ground floor communal amenity area.

- 8.25 A total of 39 out of the 40 flats would have dual aspects. The only single aspect flat would be on the ground floor and in mitigation it has a southern facing aspect, so it is acceptable in that respect. The flats proposed at ground floor would feature enlarged glazing to accommodate restricted levels of natural light, due to the geometry and proximity of the surrounding buildings. For daylight and sunlight targets are set out in the British Standard Code of Practice for Daylighting and Appendix C of the BRE Guidelines. A daylight and sunlight analysis report was submitted with the application and demonstrates the average daylight factor that would be achieved within the proposed habitable rooms in the new dwellings would be acceptable. It therefore demonstrates that the future occupants of those habitable rooms would have acceptable daylight amenity. Officers concur with the findings of the report. Overall the internal layout and arrangement of the proposed flats would make the best use of available floor space and all of the flats would have private garden or balcony spaces to meet minimum amenity standards, aswell as access to the communal garden areas to ground level and to the roof terrace.



- 8.26 The proposed block would be divided in three separate stair cores. Each stair core would have step free pedestrian access. In terms of accessibility, the London Plan sets requirements for 10% of homes to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. 4 flats (10%) have been designed as wheelchair accessible flats. These are Flat 1 (2B/3P), Flat 2 (1B/2P), Flat 5 (2B/3P), and Flat 7 (1B/2P). The wheelchair accessible flats are all located at ground floor to maximise the opportunity for independent use by disabled persons. Flat 1 would also have a surface level disabled parking area directly adjacent to it, while Flats 2, 5 and 7 would be located directly adjacent to the three respective lift cores in the proposed block to enable ease of access from the basement parking area, where a further 4 disabled parking spaces would be provided.



- 8.27 Overall, the proposed development could provide an interesting and pleasant place to live for future occupiers. The proposed soft landscaped communal amenity would provide opportunity for plenty of activity on the site and a pleasant public realm. The site is conveniently located with ease of access to public transport and local shops and services. Effectively, a community within a community could result from the proposed scheme and this type of arrangement in a major development may help to combat climate change.

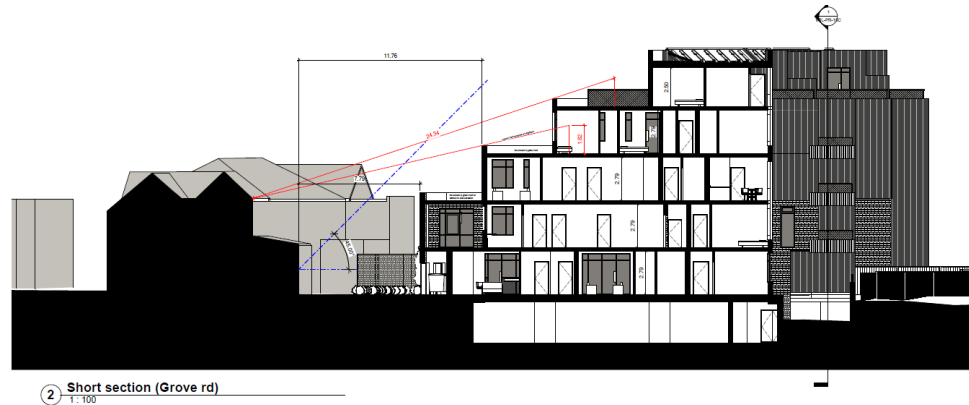
Residential Amenity for Neighbours

- 8.28 Policy DM10.6 states that the Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties or have an unacceptable impact on the surrounding area. This can include a loss of privacy, daylight, sunlight, outlook or an increased sense of enclosure. It is considered that the position of the site and siting and massing of the proposed building on the site would not have any adverse effect in terms of light, privacy, or outlook on the amenities of residents in Grove Road. The main properties that could be affected by the proposed development are the adjacent dwellings to the east of the site in Willett Place and Willett Road, and west of the site in Fairlands Avenue.
- 8.29 The daylight and sunlight analysis report submitted with the application concludes that although there would be several technical transgressions of the BRE Guidelines, none of the shortfalls would be materially below the BRE recommendations for high density built-up urban areas. More importantly, the residual levels of Daylight and Sunlight that have been recorded on an absolute scale demonstrate that all of the existing neighbouring residential properties will continue to receive good levels of natural daylight and sunlight. Those numerical results therefore demonstrate that there would be no unreasonable impact on existing neighbouring amenity. Officers concur with the findings of the report.

• Willett Place / Willett Road

- 8.30 The eastern facing front elevation of the proposed block would have window-to-window distances of between 18.61 metres and 24.39 metres to the western rear elevation windows of the houses at 1 – 6 Willett Place. The proposed block has been angled to face away from the rear windows of 1 to 3 Willett Road and there are no western facing flank windows on the

house at 3 Willett Road. The window-to-window distances from the southern flank elevation to the new build development at 7 Willett Road would be between 19.02 metres and 20.66 metres.



- **Fairlands Avenue**

8.31 The western facing rear elevation of the proposed block would have window-to-window distances of between 24.58 metres and 28.23 metres to the eastern rear elevation windows of the houses at 14 to 32 Fairlands Avenue.

8.32 It is considered that no adverse loss of privacy, no adverse loss of outlook, and no adverse loss of light would result to adjacent and nearby residential occupiers. The distances of the proposed built form to the adjacent and nearby residential buildings are generous for a development in an urban environment.

- **Other Amenity Issues**

8.33 In terms of noise and general disturbance it is considered that there would be noise and general disturbance result from demolition and construction works. However, a condition is recommended to ensure that a construction logistics plan is submitted for approval to manage and minimise disturbance.

8.34 In terms of safety and security, there would be natural surveillance from the proposed flats over the proposed pedestrian link between Willett Road and Grove Road. The pedestrian link would also have natural surveillance from an active frontage to the flats. The basement car park would have a key fob gate to it which would prevent unauthorised access to it. The safety aspects of the proposal have been reviewed by a Crime Prevention Officer and the recommended Secure by Design accreditation will be secured by condition. Furthermore, details of security lighting to the external access and external circulation areas would also be secured by condition.

Parking, Access and Highway Safety

8.35 Transport for London were consulted on the application and had no objection to it subject to cycle storage complying with London Plan standards, and a full constructions logistics plan and full delivery and servicing plan being secured by condition.

8.36 Vehicular access to the site will be taken from Willet Road for deliveries/servicing and from Grove Road for access to a basement car park. A total of 18 car parking spaces and 7 motorcycle space will be provided in the basement. The car parking in the basement makes

provision for 4 of the spaces to be for disabled parking. There is also 1 disabled parking space provided at ground level. The parking provision would therefore equate to a car parking provision at a ratio of 0.45 spaces per dwelling. This compares favourably with a 2016 planning permission at the former Surrey Van Centre site (facing Thornton Heath Pond) which provides 7 parking spaces for 30 flats equating to a ratio of 0.23 spaces per dwelling.

- 8.37 A full transport assessment was submitted with the application and included a trip analysis, parking stress survey, a travel plan, and sweepth-path analysis diagrams. The number of trips expected to be generated by mode by the proposed scheme has been calculated using the TRICS database and examining the National Traffic Survey. The trip generation analysis has indicated that the proposed development would generate a **decrease** of 85 car movements per day than the existing employment activities that are still operating from the site. The transport assessment concludes the expected vehicular traffic flow could be accommodated on the local road network. The availability of on-site parking and a car club space should ensure that there would be no adverse material impact on the parking provision on the local road network.
- 8.38 The site is situated within a short distance of a large number of shops services and general amenities which will be readily accessible on foot and thus reduce the need to travel by private car. There are also 6 bus routes available within 200 metres of the site. A car club space would be provided on Grove Road, and this matter along with a £5050 financial contribution towards its implementation/operation would be secured as part of the S106 legal agreement. The site is within a Controlled Parking Zone and so the Council would seek to restrict the issue residents parking permits for the development, again secured as part of the S106 legal agreement.
- 8.39 While it is acknowledged local roads are heavily parked, as evidenced by the parking survey submitted as part of the Transport Assessment, the proposed amount of off-street parking and proposed car club space indicates it would not adversely impact on the availability of on-street parking capacity on local roads. Also, the site is within close proximity to London Road which is served by numerous bus routes and local shops, which should assist in promoting sustainable travel modes, such as walking use of public transport. Cycle storage provision is also made for each of the dwellings as well as for short-stay visitor cycling.

- 8.40 A Travel Plan statement was submitted (as part of the Transport Assessment). As well as the provision of sustainable travel measures of cycle storage, electric vehicle charging points, and car club provision, it also proposes other measures aimed at encouraging sustainable 'green' travel. These measures include provision of 1 year free membership to Enterprise Car Club and £50 driving credit for all residents of the development to encourage usage of the on-site car club vehicle ; provision of a free Residents Travel Guide for distribution to each household upon occupation which will highlight the location of nearby shops, services, amenities and public transport/sustainable transport access points in proximity to the site; Provision of Travel Guide Posters for display in the lobby areas of the block. The Car Club provision would be secured by the Section 106 agreement. The Council would seeks to ensure a financial contribution of £1500 per unit for sustainable transport mitigation. While the site is not currently in a controlled parking zone (CPZ) it would be prudent to ensure that future residents would be restricted from obtaining parking permits in the event of a forthcoming CPZ coming into effect. These matters would also be secured by the Section 106 agreement.
- 8.41 Given all these circumstances it is considered that the amount of off-street car parking provision would be acceptable.
- 8.42 The Council would seek to ensure that 4 (20%) of the car parking spaces would have electric vehicle charging points and that a further 4 (20%) would have passive provision for electric vehicle as per guidance set out in the London Plan. This matter can be secured by condition.
- 8.43 The existing dropped kerb crossover from Willett Road would be maintained to provide access to the development. The access from Willett Road is approximately 3.2m wide and would be retained to serve pedestrians and a vehicle drop off / pick up area. Swept-path analysis diagrams have been submitted with the application and demonstrates that delivery and refuse vehicles would be able to manoeuvre safely to and from the site in a forward gear from the Willett Road access.
- 8.44 A new pedestrian only access onto Grove Road (measuring 3.2m in width) would be constructed. In addition, the existing vehicle access onto Grove Road would be removed and replaced with a vehicle access to the proposed basement car park. The dropped kerb crossover would be maintained to serve the basement car park access. There would be no through-route for cars between Willett Road and Grove Road or vice-versa.
- 8.45 The vehicle entrance to the basement car park from Grove Road would have an ingress and egress lane with a holding area of 5 metres in length and width. The holding area would therefore fully accommodate a car from the back edge of the pavement, and allow for two cars to pass each other. To further manage traffic movement to/from the basement car park, a fob controlled security gate is proposed at the entrance to the basement car park. The ramp to basement would operate a one-way directional traffic system with passing places at the top and bottom of the ramp. In order to regulate the one-way section of the access, a traffic management system will be installed. This would comprise installation of a compact LED traffic signal system to give priority (green signal) to vehicles entering the site from the adjoining highway. The light would only show red at the entrance

if a car has already triggered a sensor from the internal basement car park to indicate that it is emerging up onto Grove Road. The full details of the signal control can be secured by condition. The ramp to the basement car park would have a 1:10 ratio gradient and a minimum 2.6 metre floor to ceiling height to the ramp and the parking area. The ramp would have transitional strips at the top and bottom to a 1:20 ratio gradient. This would make provision for nearly level access to the basement floor and nearly level access holding area at ground level. Cars emerging from the basement would therefore do so at the same grade as the back edge of the pavement. A vehicle swept path illustration has been submitted with the application and demonstrates that two cars will be able to comfortably pass one other in opposite directions at the entrance to the site clear of the highway to Grove Road. The full specification details of the ramp and its access, including pedestrian visibility splays and vehicle sightlines, can be secured by condition.

- 8.46 The Council would seek to ensure that any redundant vehicle crossover strips are re-instated to a full height kerb at the developer's expense. This matter would be secured by condition and relevant minor highways agreement with the Council's Highways department.
- 8.47 In terms of fire safety access, no part of the building would be more than 45 metres distance from the either the highway of Willett Road or Grove Road.
- 8.48 A total of 96 cycle parking spaces would be provided, comprising 86 resident (long stay) cycle parking spaces and 10 visitor (short stay) cycle parking spaces for residential use. The 86 resident spaces would be provided in the basement, while the 10 visitor spaces would be provided at ground level. Provision is made within the resident cycle spaces for 3 larger cycle bays, which would make provision for cargo cycles and/or disabled cycles. The cycle storage provision would comply with the minimum standards set out in the London Plan.
- 8.49 A draft construction logistics plan and a draft delivery and servicing plan were all submitted with the application. Full details can be secured by condition. In respect of the construction the proposal would also be subject to a financial contribution of £4000 to monitor air quality, which would be secured through the Section 106 agreement.
- 8.50 Residential refuse storage is proposed in two locations in the site within the envelope of the building frontage. One would be sited towards the southern end of the block and one towards the northern end. The refuse stores would each be sited within 20 metres pull distance of the highways of Willet Road and Grove Road respectively.

Flood Risk

- 8.51 The application was accompanied by a Flood Risk Assessment and the LLFA have no objection to the proposed drainage strategy subject to further clarification on i) attenuation tank invert and cover levels and ; ii) an ownership plan to accompany the submitted site-specific maintenance management plan for proposed SuDS.
- 8.52 The approved drainage strategy and issues of clarification can be secured by condition.

Sustainability

- 8.53 Policy seeks high standards of design and construction in terms of sustainability and sets out Local and National CO2 reduction targets. An Energy Assessment and Sustainability Assessment has been provided, showing that whilst the minimum 35% on-site CO2 reductions beyond Part L of 2013 Building Regulations can be achieved (meeting local policy requirements) through on-site energy efficiency measures and renewable technologies, zero carbon cannot be achieved on site. The remaining shortfall will therefore be offset through a cash-in-lieu contribution of £60,000, secured through the Section 106 Agreement.
- 8.54 Planning conditions are recommended to finalise the design as well as to demonstrate the CO2 and water use targets have been met following construction.
- 8.55 The development proposes a range of sustainable design and construction features including:
- High performance building fabric and energy efficient lighting, services and equipment.
 - Passive window design measures to reduce energy demand for heating, cooling, ventilation and lighting.
 - Solar PV Panels.
 - Time and zone heating controls.
 - Electric Infra-Red heating systems.
 - Water saving sanitary fittings and appliances to deliver a water efficient development.

Trees, Landscaping and Biodiversity

- 8.56 There are no trees on the site itself. A wooded area is proposed in the south-western corner of the site and some additional tree planting could be provided within the ground level communal garden area and private garden areas. Full details of tree planting and other planting could be secured as part of the recommended landscaping condition. A wildlife meadow is proposed as part of the communal garden area and further details to promote biodiversity, and assist surface water drainage, and to combat climate change can also be secured as part of the recommended landscaping condition. Sedum roofs are proposed to the building and there would also be an opportunity to provide some greenery to the proposed communal roof terrace.

Archaeology

- 8.57 An archaeological assessment was submitted with the application and Historic England require a written scheme of investigation to be secured by condition in the first instance to ensure the archaeological interest of the site is secured as appropriate prior to the commencement of any development.

Other Matters

- **CIL**

- 8.58 The development will be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools.

- **Employment and Training Strategy**

- 8.59 An employment and training strategy and contribution would be secured through the Section 106 agreement to ensure the employment of local residents during construction.

Conclusions

- 8.60 Given the significant need for housing within the Borough, the principle of this residential development is considered acceptable within this area. The proposal provides affordable housing with both social rented and shared ownership. The site is partly occupied for employment purposes, but the desirability of the site for continuing and further employment functions is limited as demonstrated by the high number of vacant units on the site. The marketing of the site for employment purposes although somewhat limited, also demonstrates no demand for taking on the site for an employment use. In this particular case the benefits of the proposed scheme, in bringing forward affordable housing development would also provide significant mitigation for the loss of the employment use of the site. The proposed design would respect the character and appearance of a residential and would represent a sensitive and sustainable intensification of the site. Whilst it is acknowledged that the mass of built form would be greater than the existing structures of site, the proposal would be in context with the transition of the surrounding environment. The proposal offers enhancements to the adjacent park. The proposal would have no significantly harmful impact on the amenities of the adjacent properties and the application demonstrates that the impact on the highway network would be acceptable. Officers are satisfied that the scheme is worthy of a planning permission.
- 8.61 All other relevant policies and considerations, including equalities, have been taken into account.