

Planning, Design and Access Statement

Change of use from Public House (A4) to Family Dwelling
(C3)

The Royal Oak

Ham Street

Richmond

TW10 7HN

25th January 2012

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1. INTRODUCTION

- 1.1 This Planning, Design and Access statement has been prepared in support of an application to change the use of the former Royal Oak public house to a 4 bedroom family dwelling with access via the existing external courtyard to the rear. This courtyard will also provide a walled garden area.
- 1.2 The development has been designed in a manner that is complimentary to the architectural quality of the surrounding area. There is an identified shortfall of family housing in the Borough and this scheme will help alleviate the demand. The former public house has been closed for approximately 12 months due to declining trade. It has been actively marketed with no interest being shown. The pub was also kept open for a significant period of time in order to attract a buyer despite making a considerable loss. Confirmation on the marketing will be forwarded.

2. SITE CONTEXT

- 2.1 The application site is located in the attractive residential area of Ham, a suburb of Richmond. The immediate surrounding area consists of a mix of uses with large detached residential dwellings dominating to the north. Immediately to the south east of the site Grey Court Secondary School is located. Further to the east the land use is of a more typical residential nature which is in turn bordered by a large park and wooded area, known locally as 'The Copse'.
- 2.2 The south of the site is a mix of commercial properties with a small local centre consisting of take away food establishments, a delicatessen, a dry cleaners and a general convenience store. The housing in this area is not traditional of the area and consists of social dwellings

some of which are considerable in height and mass. The west of the site is again of a more typically residential form with terraced, semi detached and detached properties prevalent.

- 2.3 As Ham Street extends from the north the street pattern is dominated by impressive period mansion properties situated in private grounds. Further to the north the properties architectural style is a mix of period properties and more modern apartment developments.
- 2.4 The application site is well served by public transport with a bus stop located approximately 20 meters from the public house on Sandy Lane. There are a number of train stations located within 2 miles of the site including Twickenham to the north west and Strawberry Hill to the west. Richmond Underground Station is located approximately 3 miles to the north of the site and is served by a number of bus services.
- 2.5 The application site is located within close proximity to a number of public amenity spaces including Ham Common and Richmond Park.

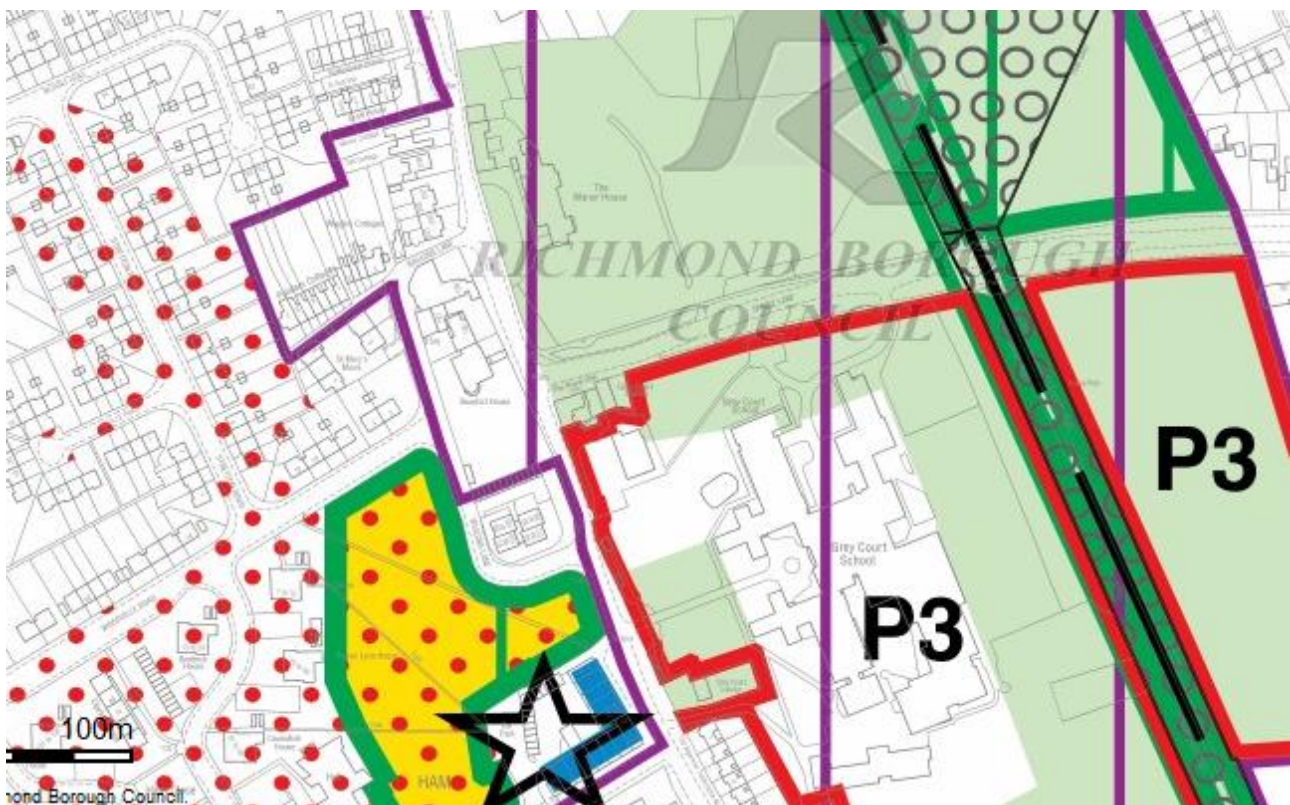
Figure 1: Site and surroundings



3. SITE SPECIFIC DESIGNATION

3.1 The London Borough of Richmond Upon Thames is in the process of preparing its Local Development Framework (LDF). The LDF is made up of a number of documents that will eventually replace the Saved Unitary Development Plan (UDP) fully. Currently, just the Core Strategy and the Development Management Plan have been adopted. For the purpose of this application the applicant has consulted the Adopted Core Strategy, the Development Management Plan, the UDP and any relevant Supplementary Planning Documents as well as National Planning Policy.

Figure 2: UDP Allocation



3.2 The site is allocated as being within Metropolitan Open Land and a Conservation Area. The local policy relating to these allocations is discussed in detail in the policy section of this planning statement.

SUMMARY

The site lends itself to a conversion to a family dwelling due to its location and size. The site is ideally located due to its proximity to local services including; schools, shopping facilities, cafes and restaurants. The abundance of public parks in the area further emphasises the suitability for a family conversion. It is accepted that the property is located within a Conservation Area; however pre-application discussions have resulted in no objection to the design of the proposal. The design of the property is discussed further later in this statement.

4. PROPOSAL

- 4.1 The application seeks the change of use of the redundant public house to a high specification 4 bedroom family dwelling. Access and parking will be to the rear (east) of the property via a private walled garden. The ground floor will consist of an open planned living area with a detached kitchen and utility area to the rear. The first floor will accommodate two large double bedrooms one of which is en-suite. There is an additional family bathroom located where the existing bathroom is currently located. The second floor accommodates a further two large double bedrooms.
- 4.2 The walled garden area to the rear will be landscaped to a high standard and will provide a 'Mediterranean' style courtyard. Parking will be located to the east of the courtyard area where the site is also accessed. The exterior of the property is to be stripped to reveal the original red brickwork that allow the property to retain a residential identity similar to the surrounding properties. The detailing and roofing has been chosen to match that of the existing properties in the local area.

Figure 3: Proposed elevations (Rear and Front)



5. PLANNING HISTORY

5.1 The public house has had 3 previous applications, these are detailed below.

Figure 4: Planning History

Application Ref: 91/2275/FUL Decision Date: 24/02/91 Decision: Approved	Single storey rear extension to create dining and storage/delivery area.
Application Ref: 96/2266/CAC Decision Date: 13/03/1997 Decision: Approved	Demolition of existing kitchen, toilet and garage structures.
Application Ref: 96/2259/FUL Decision Date: 13/03/1997 Decision: Approved	Demolition of existing kitchen, toilet and garage structures, provision of new ground floor extension with new garaging, kitchen, toilets, refuse area, snack bar and restaurant area. Provision of new additional entrance from Sandy Lane.

6. PLANNING POLICY CONTEXT

6.1 As previously mentioned the London Borough of Richmond Upon Thames is in the process of producing its Local Development Framework (LDF). The LDF is made up of a number of documents that will direct development within the Borough. The Council have adopted their Core Strategy element of the LDF but have saved their Unitary Development Plan until they have adopted their Development Control DPD. Therefore the relevant Development comprises of the London Plan, the saved policies within the Unitary Development Plan and the adopted Core Strategy. Other material considerations include Planning Policy Statement 1; Sustainable Development and Planning Policy Statement 3: Housing.

> *London Plan July 2011*

6.2 Policy 3.3 is concerned with the housing targets of the City, it requires London Borough's to exceed the minimum target for housing of some 32,210 additional dwellings per annum. The 10 year target for Richmond is set at 2,450 with an annual target of 245. The development will go some way to achieving this target.

6.3 Policy 3.4 seeks to maximise the potential of sites and ensure that developments achieve the maximum intensity of use that is compatible with the local context. The development takes note of the architectural styles and makes use of a redundant structure that currently serves no purpose. The change of use will maximise the efficient use of the site whilst respecting the local context due to the minimal external alterations.

6.4 Policy 3.5 relates to developments meeting the highest standards of sustainable design and construction. The proposed scheme makes use of an existing redundant public house as a residential property. The conversion of the property will be undertaken to the highest standards of design and the materials used will complement the existing area and the traditional styles seen within the locality.

6.5 Policy 3.14 is associated with the existing building stock within London. The plan supports measures to produce a lower environmental impact from the existing stock of buildings. The London Boroughs are encouraged to do this via their development plan policies. The conversion of the application site clearly satisfies this policy.

> *London Borough of Richmond Upon Thames Core Strategy*

6.6 Policy CP1 of the Core Strategy seeks to maximise the effective use of land and reduce the environmental impact by minimising the loss of open land. The development makes use of a previously developed plot of land which is perhaps the most effective use of land and reduces the need to build on Greenfield sites. There is excellent public transport provision with a bus stop located adjacent to the site that serves the local area and the wider Borough.

6.7 Policy CP5 is concerned with sustainable travel and seeks to reduce the need to travel. The application site is located within close proximity to a local centre (south of the site) and within walking distance of schools, public houses and restaurants. The bus stop adjacent serves the local and wider area. Therefore, it is contended that the site is located within a very sustainable location.

6.8 Policy CP7 seeks to ensure that development maintains and improves the local environment. The property is an existing building in need of significant repair. The scheme involves the complete refurbishment of the site that will return a tired looking structure back to its former glory whilst incorporating the highest quality materials. Paragraph 8.2.1.3 states; *'The council will support new development, including extensions and refurbishment, that has evolved from an understanding of the site, the impact on its surroundings, and its role within the wider neighbourhood'*

6.9 The policy clearly supports the re-use of existing buildings that pay regard to their surrounding area. There will no substantial external alterations to the structure and there will be no change to the perceived streetscene. The change of use will simply bring back in to use a tired structure in a prominent location on Ham Street.

- 6.10 Policy CP14 sets the housing targets for the Borough. For the 10 year period between 1 April 2007 and 31 March 2017 there is a net requirement for an additional 2700 dwellings at a rate of 270 dwellings per annum. These figures have been superseded by the London Plan that requires an additional 2450 dwellings from the period of 2011 to 2021 at a rate of 245 per annum. Ham and Petersham & Riverside have the largest requirement for new housing with 700-1100 units sought.
- 6.11 The delivery of large housing sites within the Borough is constrained due to the nature of the land supply. The Borough is constrained by larger areas of public amenity land and Conservation Areas which makes the delivery of large schemes improbable. The Council should therefore support the delivery of smaller schemes such as the one subject to this application.

> *LDF Development Management Plan*

- 6.12 The Development Management Plan (DMP) was adopted in November 2011 and seeks to build on the policies contained within the Core Strategy. The DMP details policies that will be used to consider new development within the Borough. The DMP identifies a substantial housing need in the Borough.
- 6.13 Policy DM HO 4 is concerned with housing mix and standards and states:
- 'Development should generally provide family sized accommodation, except within town centres where a higher proportion of small units would be appropriate. The housing mix should be appropriate to the location.'*
- 6.14 The development clearly provides family accommodation in an appropriate location. The area is dominated by large family dwellings, particularly to the north of the site. It is therefore considered appropriate to provide family accommodation. The development will provide private amenity space to the rear that will meet the needs of family particularly with young children.

- 6.15 Policy DM DC 1 is concerned with design quality and requires development to demonstrate a high architectural standard and sustainable design principles. As reiterated throughout this statement, this change of use will make use of a currently redundant public house. The external facade of the property will be brought back into line with the existing architecture of the area. The structure is completely compatible with the local area and there will be no increase in size, scale or mass. The materials used are of the highest quality that respect the local area.

> *London Borough of Richmond Upon Thames – Unitary Development Plan*

- 6.16 Policy HSG4 states that in areas that are in predominantly residential use, priority will be given to the provision of additional housing so long as it does not have any impact on the character of the surrounding area. The conversion of the public house will add to the family housing stock within the area. The area is predominantly residential and will have no adverse impact on the character of the area.

SUMMARY

The development is compliant with both local and national planning policy. The conversion makes efficient use of an existing redundant site that is in a state of disrepair. The loss of a community use is discussed in more detail below.

7. LOSS OF A COMMUNITY USE

- 7.1 Policy CCE 15 of the Saved Unitary Development plan seeks to retain entertainment facilities and clearly states:

'The Council will resist the loss of any existing private and public indoor recreation cultural and entertainment facilities and will require the provision of replacement facilities in development proposals, which should be accessible for all subject to the provisions of Policy CCE 18.'

7.2 Paragraph 10.76 goes on to state; *'when an existing cultural or entertainment facility clearly ceases to be no longer viable a similar use will generally be sought. Only after a reasonable period of marketing which clearly demonstrates that the building or site is no longer viable for a cultural or entertainment use will it be allowed to go out of that use. Evidence will be required that reasonably efforts have been made to market the property at a reasonable open market price through appropriate advertising, advertising boards etc.'*

7.3 The Royal Oak Public house has represented a failing business for some considerable time. The lease for the property has been actively marketed for approximately 2 years as confirmed by the CAMRA website. The lease was initially put up for sale on the 29th January. The public house was kept open despite being financially unviable in order to attract a buyer. No buyer was forthcoming despite the continued efforts and the Public House was officially closed on the 8th February 2011. Marketing continued until the public house was finally boarded up on 1st October 2011 and auctioned for alternative uses.

7.4 There are a number of alternative uses within the area that provide community facilities; these are illustrated on the 'Local Facilities Map' in appendix 1. The following table sets out these uses and highlights the distance and walking time to each establishment. The map clearly illustrates 12 pubs and restaurants located within a 20 min walk of the site (1.2 km). There are many additional facilities that have also been pinpointed on the map that offer other community services within 1.6 km of the site

Figure 5: Alternative community uses

Name of Establishment	Address	Distance form applications site
Hansel and Pretzel	Ham, Richmond, TW10 7UD	Within 5 minutes
The Ham Brewery Tap	4-6 Ham Street, Ham, TW10 7HT	Within 5 minutes

Backhaus Deli	175 Ashburnham Road, Ham, TW10 7NR	Within 8 minutes
The Hand and Flower	22 Upper Ham Road, Ham, TW10 5LA	Within 12 minutes
The New Inn	345 Petersham Road, Richmond, TW10 7DB	Within 10 minutes
Orangery Cafe	102 Halliford Road, Shepperton, TW17 8RU	Within 10 minutes
The Fox and Duck	194 Petersham Road, Petersham, TW10 7AD	Within 12 minutes
The Dysart Arms	135 Petersham Road, Richmond, TW10 7AA	Within 16 minutes
Tide End Cottage	8 Ferry Road, Teddington, TW11 9NN	Within 15 minutes
Oak Bar Grill	172 High Street, Teddington, TW11 6SE	Within 20 minutes
The White Swan	Old Palace Lane, Richmond, TW9 1PG	Within 15 minutes
The Barmy Arms	The embankment, Twickenham, TW1 3DU	Within 15 minutes
L'Amandine	7 Golden Court, Richmond, TW9 1EU	Within 15 minutes
Saqui	317 Richmond Road, KT2 5QU	Within 15 minutes

8. PRECEDENTS

- 8.1 The precedent effect is an important material consideration when determining planning applications. It has been held at the High Court that applicants for planning permission should expect consistency in decision making. This is made abundantly clear in the High Court

decision, *Poundstretcher Ltd, Harris Costs Decision Queensway plc v. Secretary of State for the Environment and Liverpool City Council (1989) JPL 90.*

- 8.2 In *Roberts v Brent Council [2008] EWCA Civ 982* Lord Justice Richards usefully summarises the precedent effect:

*"The point about precedent effect as set out in the case law of which Poundstretcher forms a part is that the grant of permission for a particular form of development on one site in an area may make it very difficult to refuse permission for the same form of development on other sites in the area if the circumstances are the same, in part **because of the importance of consistency in decision-making.** Thus the grant of planning permission on the one site may have wide consequences for the area as a whole".*

- 8.3 Application DC/MAR/10/0013/FUL/FUL sought to convert the former Railway Inn at 127 Station Road to 4 dwellings and included the demolition of a two storey outbuilding. The application was approved at planning committee in February 2010. In the officers report the Council states:

'Policy CCE 15 of the Unitary Development Plan seeks to retain indoor entertainment facilities in the Borough. However, it is considered that, given there are at least 14 other public houses within 2 km of the application site that an concerns regarding the loss of the facility is unlikely to be sustainable.'

- 8.4 The officer concludes the report by stating:

'The proposal would provide additional units of residential accommodation without compromising the character and appearance of the area or causing significant harm to neighbour amenities. Sufficient alternative entertainment uses exist in the area as to not raise concerns regarding the loss of the public house and the scheme satisfies relevant policy requirements for parking and sustainability.'

- 8.5 We would contend that the application at The Railway Public House is almost directly comparable to the site subject to this application. The major difference would be the number of units created. The application at the Royal Oaks seeks to provide family accommodation for

which there is currently a shortage. There is no demolition involved at the Royal Oak and the character of the structure will be retained and restored.

Figure 6: Railway Public House



- 8.6 There are currently 2 applications being assessed by Richmond Upon Thames Borough Council for the conversion of a public house to residential schemes.
- 8.7 The Charlie Butler Public House is located in the Hampton area of Richmond and the application seeks to demolish the existing public house and erect a 4 storey residential development consisting of 9 residential units. The application is a considerably larger scheme than at the Royal Oak Public House and does not seek to retain the existing structure. The application is due to be determined by the end of January.

Figure 7: Charlie Butler Public House



- 8.8 The Queen Dowager is located in Teddington and the scheme consists of the demolition of the public house and the erection of 5 four bedroom town houses. The scheme is again much larger than the conversion of the Royal Oak public House and does not seek to retain the original structure which is an attractive building that should be retained. The application is due to be determined by the 7th February 2012.

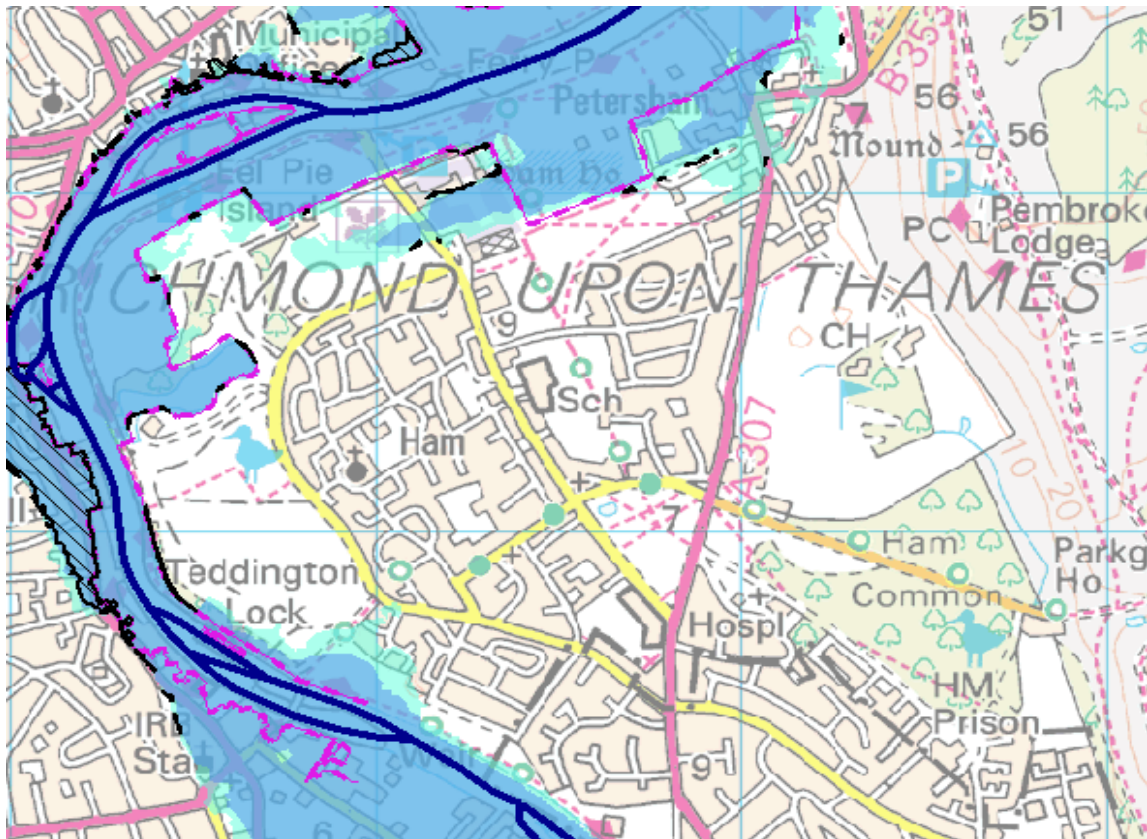
Figure 8: Queen Dowager



9. FLOOD RISK

- 9.1 Planning Policy Statement 25 requires that any planning application is mindful of the risk of flooding. To comply with this we have reviewed the Environment Agency's latest flood datasets. The application site is not located within a flood risk zone.

Figure 9: Flood Risk



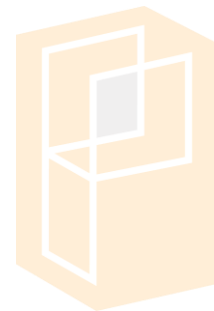
10. CONCLUSION

- 10.1 The application involves the re-use of a Brownfield site and represents the efficient and effective use of previously developed land. The application is therefore supported by PPS 1 and PPS3. The public house has been operating as an unviable business for approximately 2 years, the previous owners kept the public house open in order to attract a buyer.
- 10.2 The conversion of the public house would create an attractive sought after family dwelling with private amenity space and parking to the rear. The conversion of the property will breathe fresh life into an untidy looking structure. There is an identified need for such family dwellings within the Borough of Richmond and this development will go some way to relieving the pressure on the Council to meet their housing targets.

- 10.3 The scheme will not result in a conflict with the surrounding land uses as the area is very much residential in nature already. There are a number of alternative public houses and restaurants within a 20 minute walk of the site as detailed on the map in appendix A.

Appendix **A**

Local Facilities Map



Submission Notes

Invalid applications are frustrating for applicant and LPA alike. We have reviewed the national and local application requirements and believe that we have submitted necessary documentation to enable the determination of this application.

Should you disagree, we urge you to read Section 3 of Guidance on Information Requirements and Validation (DCLG, March 2010). The key points are:

- Some LPAs have been too rigid in their validation requirements (para 26);
- LPAs should make proportionate requests for information (para 27);
- In some circumstances the supporting information may be inadequate or its quality may be a concern. These are not grounds for invalidating applications. (para 34).

We consider that we have included enough information to enable this application to be determined and we would welcome prompt validation.

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