

# PLANNING REPORT

Printed for officer by Mrs Helen Donnelly on 22 April 2015

# Application reference: 15/1397/P3JPA

FULWELL, HAMPTON HILL WARD

Date application received	Date made valid	Target report date	8 Week date
01.04.2015	01.04.2015	27.05.2015	27.05.2015

#### Site:

38-42 Hampton Road, Teddington, TW11 0JE,

#### Proposal:

Change of use from B1 office use to C3 residential use (17 x 1 bed units (3 person), 10 x 2 bed units (4 person), 8 x 2 bed units (4 person) units (totalling 35 residential units)

Status: Pending Consideration (If status = HOLD please check that all is OK before you proceed any further with this application)

#### APPLICANT NAME

Mr M Meanley 8038-42 Hampton Road Teddington TW11 0JE

## **AGENT NAME**

Mr P Villars 11 Swan Court Worple Road Wimbledon SW19 4JS

DC Site Notice: printed on and posted on and due to expire on

### Consultations:

Internal/External:

Consultee

**LBRUT Transport** 

**Expiry Date** 27.04.2015

## Neighbours:

37A Hampton Road, Teddington, TW11 0LA - 13.04.2015

31 Hampton Road, Teddington, TW11 0LA, - 13.04.2015

33 Hampton Road, Teddington, TW11 0LA, - 13.04.2015

35 Hampton Road, Teddington, TW11 0LA, - 13.04.2015

Olive Tree House,62A Anlaby Road, Teddington, TW11 0PA, - 13.04.2015

13 Kent Drive, Teddington, TW11 0PD, - 13.04.2015

Flat 5,45 Hampton Road Teddington, TW11 0LA, - 13.04.2015

Flat 4,45 Hampton Road, Teddington, TW11 0LA, - 13.04.2015

Flat 3.45 Hampton Road Teddington, TW11 0LA, - 13.04.2015

Flat 2,45 Hampton Road, Teddington, TW11 0LA, - 13.04.2015

51 Anlaby Road, Teddington, TW11 0PB - 13.04.2015

49 Anlaby Road, Teddington, TW11 0PB - 13.04.2015

National Measurement Office, Stanton Avenue, Teddington, TW11 0JZ, - 13.04.2015

Flat 1,45 Hampton Road, Teddington, TW11 0LA, - 13.04.2015

43A Hampton Road, Teddington, TW11 0LA, - 13.04.2015

64 Anlaby Road, Teddington, TW11 0PA, - 13.04.2015

60 Anlaby Road, Teddington, TW11 0PA,

2 Alexandra Court Kent Drive, Teddington, TW11 0PF, - 13.04.2015

1 Alexandra Court, Kent Drive, Teddington, TW11 0PF, - 13:04.2015

39 Hampton Road, Teddington, TW11 0LA, - 13.04.2015

39A Hampton Road, Teddington, TW11 0LA - 13.04.2015

37 Hampton Road, Teddington, TW11 0LA, - 13.04.2015

45A Hampton Road, Teddington, TW11 0LA, - 13.04.2015

36 Hampton Road, Teddington, TW11 0JX, - 13.04.2015

29 Hampton Road, Teddington, TW11 0LA, - 13.04.2015

47 Hampton Road, Teddington, TW11 0LA, - 13.04.2015

62 Anlaby Road Teddington, TW11 0PA, - 13.04.2015

58 Anlaby Road Teddington, TW11 0PA, - 13.04.2015

Sent 27/4/15 44 a-3 (inc).

5 Alexandra Court Kent Drive Teddington TW11 0PF -Anlaby Lodge, Anlaby Road, Teddington, TW11 OPB - 22.04.2015 — 39 An laby Lodge Anlaby Road, Teddington, TW11 OPB - 22.04.2015 43 Anlaby Road, Teddington, TW11 0PB, - 22.04, 2015 41 Anlaby Road, Teddington, TW11 0PB, - 22.04.2015 47 Anlaby Road, Teddington, TW11 0PB - 22.04.2015 45 Anlaby Road, Teddington, TW11 0PB - 22.04.2015 ⇒5 Alexandra Court, Kent Drive, Teddington, TW11 0PF, - 22.04.2015 -5 Eton Court, Peveril Drive, Teddington, TW11 0PW, - 22.04.2015 3 Eton Court, Peveril Drive, Teddington, TW11 0PW, - 22.04.2015 9 Kent Drive, Teddington, TW11 0PD, - 22.04.2015 4 Kent Drive, Teddington, TW11 0PD, - 22.04.2015 2 Kent Drive, Teddington, TW11 0PD, - 22.04.2015 √56E Anlaby Road, Teddington, TW11 0PA, - 22.04.2015 56C Anlaby Road, Teddington, TW11 0PA, - 22.04.2015 56A Anlaby Road, Teddington, TW11 0PA, - 22.04.2015 6 Eton Court, Peveril Drive, Teddington, TW11 0PW, - 22.04.2015 4 Eton Court, Peveril Drive, Teddington, TW11 0PW, - 22.04.2015 2 Eton Court, Peveril Drive, Teddington, TW11 0PW, - 22.04.2015 1 Eton Court, Peveril Drive, Teddington, TW11 0PW, - 22.04.2015 A) Alexandra Court, Kent Drive, Teddington, TW11 0PF, - 22.04.2015 Alexandra Court, Kent Drive, Teddington, TW11 0PF, - 22.04.2015 11 Kent Drive, Teddington, TW11 0PD, - 22.04.2015 7 Kent Drive, Teddington, TW11 0PD, - 22 04 2015 S Kent Drive Teddington, TW11 0PD, - 22.04.2015 3 Kent Drive Teddington TW11 0PD, - 22.04.2015 Kent Drive, Teddington, TW11 0PD, - 22.04.2015 58 Anlaby Road, Teddington, TW11 0PA, - 22.04.2015 58A Anlaby Road, Teddington, TW11 0PA, - 22.04.2015 56D Anlaby Road, Teddington, TW11 0PA, - 22.04.2015 56B Anlaby Road, Teddington, TW11 0PA, - 22.04.2015 54 Anlaby Road, Teddington, TW11 0PP, - 22.04.2015

#### History: Development Management, Appeals, Building Control, Enforcements:

Development Management

Status: WNA Date: 19/01/1996 Application:95/T3814/PO

Robinia Pseudoacacia - Fell

**Development Management** 

Status: REF Date:20/10/1999 Application:99/1831

Erection Of New Reception Area And Formation Of Disabled Access Ramp.

**Development Management** 

Status: GTD Date: 15/03/1978 Application:77/1295

Rebuilding and extension of No. 38 to include new roof and provision of 5

parking spaces.

**Development Management** 

Status: GTD Date:26/03/1979 Application:78/0628/DD01

Demolition of No. 42 and the rebuilding and extension of No. 40 together with 34 parking spaces and the erection of four houses with access to Anlaby Road. (Detailed drawings refuse enclosure and generator room). Condition

No. (a) of planning permission 78/0628 dated 13th Sept., 78.

Development Management

Status: GTD Date: 13/09/1978 Application:78/0628

Demolition of No. 42 and the rebuilding and extension of No. 40 together with 34 parking spaces, and the erection of four houses with access to Anlaby

Road.

**Development Management** 

Application:78/0882/ADV

Status: GTD Date: 19/09/1978

For Advertisements.

**Development Management** Application:79/0130 Status: GTD Date: 26/03/1979 The installation of four office portakabins during building operations. Application:79/0626/DD01 **Development Management** Status: GTD Date: 14/02/1980 Re-arrangement of parking areas and realignment of access drive. (Detailed drawings - landscaping). Condition No. 71 of planning permission 79/0626 dated 13/11/79. **Development Management** Application:79/0626 Status: GTD Rearrangement of parking areas and realignment of access drive. Date: 13/11/1979 Application:79/1536/ADV **Development Management** Status: GTD Date:08/01/1980 For Advertisements. Application:80/0717 **Development Management** Status: GTD Date:02/09/1980 Erection of a new garage building at the rear of the premises and raising of part of the boundary wall by 1.5 m (5ft 0ins). Application:85/1717 **Development Management** Status: GTD The relocation of a potting shed. (Amended Plan No. 1125/A1A and A2A Date: 10/06/1986 received on 8.4.86). Application:06/0122/FUL **Development Management** Status: REF Date: 15/03/2006 Erection of 3 storey office building with associated parking Application:06/4036/FUL **Development Management** Status: WDN Date: 02/02/2007 Erection of new entrance, reception area and rear extension. Application:07/0762/FUL **Development Management** Status: REF Front and rear extension, additional cycle and motorcycle parking, Date:03/07/2007 landscaping and acoustic fencing to the northern boundary of the site and adjacent areas.

**Development Management** 

Status: REF Date:03/07/2007 Application:07/1172/FUL

Erection of building to provide 602m3 of office space with associated parking and landscaping

Development Management

Status: GTD Date: 19/11/2007 Application:07/3161/FUL

Erection of a front and rear extension. Formation of level access and new

reception area.

**Development Management** Status: GTD Date:18/01/2008 **Development Management** Status: GTD Date: 18/03/2008 **Development Management** Status: GTD Date:29/09/2008 **Development Management** 

Application:07/3161/DD01

Details pursuant to materials condition BD12

Application:07/4393/FUL

Erection of four storey extension to office building to provide 28 M2 additional

floor space for toilet facilities.

Application:07/4393/DD01

Details pursuant to condition U19486 (fencing, landscaping, cycle shelter)

and BD12 (materials)

Status: GTD Date: 03/06/2009 Application:07/4393/DD02

Details pursuant to condition S106 legal agreement

**Development Management** 

Status: GTD Date:03/06/2009 Application:07/3161/DD02

Details pursuant to S106 legal agreement

**Development Management** 

Status: GTD Date: 04/02/2010 Application:07/1172/DD01

Details pursuant to Travel Plan condition of appeal decision

**Development Management** 

Status: GTD Date:26/01/2012 Application:07/1172/DD02

Details pursuant to conditions 2 (materials - external surfaces and boundary treatment) 3, (hard and soft landscaping), 6 (tree method statement), and 9 (details of operating system for car lift and access arrangements to

basement) of appeal decision APP/L5810/A/08/2062450

**Development Management** 

Status: GTD Date: 30/12/2013 Application: 13/T0816/TPO

Front Boundary

G1 - Mixed Species -Reduce all trees back to kerb line. Prune tips.

Reasons - The works on these groups of trees are due to a request from the council to improve the line of sight to the traffic lights.

Car Park

T2 - Robinia - Remove dead and diseased wood. Reduce all over by up to 3 metres and balance accordingly. Remove or cut back low branches to give a 4M clearance from ground level.

Reasons - The works on this tree are a part of a regular maintenance

program to keep the tree to a suitable size for its location.

Development Management

Status: PCO Date:

Application: 15/T0178/TPO

Rear Boundary T1 - Tag 30 - Lime

Crown reduce to remove 2.5 metres in height and width. Crown thin by 15%. Reasons - The works are as part of a regular maintenance program to retain the tree at a suitable size for its current location so close to property. The specified work will enhance the overall aesthetics of the tree. The subject tree is in very close proximity to the side elevation of the

neighbouring property.

Right Hand Side of Car Park

T2 - Tag 2 - Holly

Reduce height to 3 metres from ground level and re-shape.

Reasons -The works are as part of a regular maintenance program to retain the tree at a suitable size for its current location so close to property.

The specified work will enhance the overall aesthetics of the tree.

Front Boundary Adjacent to Bus Stop

T5 - Tag 12 - Holly

Remove dead stem and remove stem over lawn.

Reasons -The works are as part of a regular maintenance program to retain the tree at a suitable size for its current location so close to property. The specified work will enhance the overall aesthetics of the tree.

Right Hand Side of Footpath

T6 - Tag 10 - Sycamore

Crown reduce to remove up to 1.5 metres in height and width.

The works are as part of a regular maintenance program to retain the tree at a suitable size for its current location so close to property. The specified work will enhance the overall aesthetics of the tree.

The subject tree is in very close proximity to the Boundary line wall with the public footpath.

Front Boundary

T7 - Tag 8 - Lime

Re-pollard to 1 metre above previous points.

Reasons -The works are as part of a regular maintenance program to retain the tree at a suitable size for its current location so close to property.

The specified work will enhance the overall aesthetics of the tree.

The subject tree is in decline and is of poor shape and form.

To allow the retention of the subject tree within the available space for growth Front Boundary

T8 - Tag 7 - Lime

Crown reduce to remove up to...

**Development Management** 

Status: PCO

Date:

Application: 15/1397/P3JPA

Change of use from B1 office use to C3 residential use (17 x 1 bed units (3 person), 10 x 2 bed units (4 person), 8 x 2 bed units (4 person) units (totalling 35 residential units)

Appeal

Validation Date: 24.01.2000 Reference: 99/1831

**Development Appeal** 

Appeal

Validation Date: 30.05.2006 Reference: 06/0064/AP/REF Erection of 3 storey office building with associated parking

<u>Appeal</u>

Validation Date: 16.07.2007 Reference: 07/0097/AP/REF Front and rear extension, additional cycle and motorcycle parking,

landscaping and acoustic fencing to the northern boundary of the site and

adjacent areas.

Appeal

Validation Date: 24.12.2007 Reference: 07/0172/AP/REF Erection of building to provide 602m3 of office space with associated parking

and landscaping

Building Control Deposit Date: 13.04.2007 Reference: 07/0808/IN	Refurbishment of office buildings
Building Control Deposit Date: 24.10.2011 Reference: 11/2044/IN	Construction of new office building
Enforcement Opened Date: 20.08.2008 Reference: 08/0499/EN/UBW	Enforcement Enquiry

Constraints:

Professional Comments:

15/1397/P3JPA 38 – 42 Hampton Road Teddington FULWELL AND HAMPTON HILL WARD Contact Officer: S Graham-Smith

**Proposal:** Change of use from B1 office use to C3 residential use (17 x 1 bed units (3 person),  $10 \times 2$  bed units (4 person),  $8 \times 2$  bed units (4 person) units (totalling 35 residential units)

Applicant: Indigo Planning for The Byrne Group

Application received: 1st April 2015

## Main development plan policies:

National Planning Policy Framework 2012 (NPPF)

Core Strategy 2009: CP3, CP5 and CP16

Development Management Plan 2011: DM SD6, DM TP1, DM TP2, DM TP6, DM TP7 and

DM TP8

Present use: Offices

## **Summary of Application:**

Under Schedule 2 Part 3 Class O of the GPDO and application for a change of use of a building and any land within its curtilage to a use falling within Class C3 (residential) of the Schedule to the Use Classes Order from a use falling within Class B1(a) (offices) of that Schedule, the Council can only assess an application against a) Transport and highways impacts; b) Contamination risks; and c) Flooding risks. In considering these impacts the Council can have regard to the NPPF and the Local Plan Policies, so far as relevant to the subject matter of the prior approval. The three matters have been considered. The site is not liable to flooding and has no history which would indicate the likelihood of unacceptable land contamination. The parking standards are met and it is not considered that the amount of traffic generated by a residential rather than commercial use would make a significant difference. Subject to appropriate conditions it is considered that in this particular instance the application for 35 residential units would be acceptable.

#### Recommendation:

Subject to any relevant new issues being raised as a result of consultation, that the Development Control Manager issues a written notice confirming that PRIOR APPROVAL IS REQUIRED AND HEREBY ISSUED for the proposed development, subject to conditions.

## Site, history and proposal:

The site contains the original three storey office building and a four storey annex (with a partially sunken ground floor and mansard roof accommodation). This is designated as a Building of Townscape Merit (BTM). There are boundaries on to Hampton Road and Anlaby Road as well as residential properties at 36 Hampton Road, 51 Anlaby Road, 1/2 Alexandra Court, 15 Kent Drive and Regina Court, Gloucester Road.

There is a formerly landscaped area between the side elevation of the annex and the boundary with Anlaby Road. Permission was granted in 2008 following an appeal for a detached office building with a semi basement, ground floor and mezzanine floor above (Ref

07/1172/FUL). Parking for three cars was to be provided in the basement of the approved building.

The permission expired in 2011 without the new office building being built, however the applicant claims to have commenced the development within the three year period (which would mean that the permission still exists and the building can be built).

It would appear that the land in question has been partly concreted over and is being used for parking (although planning permission has not been granted for this). Given that the permission involved a basement it is debatable whether this would constitute the commencement of the approved development. The applicant has been asked to comment but had not done so at the time of writing this report.



This application seeks prior approval for a change of the existing office building to 35 flats. The consultation period expires on 18<sup>th</sup> May, however a decision must be issued before 27<sup>th</sup> May (the date of the next committee) otherwise automatic conditionless approval will apply.

## Public and other representations:

It was necessary to write the report prior to the conclusion of the consultation period due to time constraints imposed by this type of application.

Councillor Elloy has requested that the application be considered by committee due to concern locally that this development will result in significant over parking and raise issues of safety for pedestrians and road users.

Objections have been received from four nearby properties:

- Noise and disturbance
- · Increase in parking demand and traffic
- Highway safety
- · Lack of overflow parking

The Metropolitan Police have suggested, due to the size of development, that the developer consider the benefits of Secured by Design

## Professional comments:

The applicant has submitted an application under Schedule 2 Part 3 Class J of the GPDO (since the application has been made this has become Schedule 2, Part 3 Class O) for a change of use of a building and any land within its curtilage to a use falling

within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1(a) (offices) of that Schedule. The following criteria must be satisfied and it has been confirmed that:

- (a) the building is not on article 2(5) land;
- (b) the building was used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order on 29th May 2013,
- (c) the use of the building falling within Class C3 (dwellinghouses) of that Schedule is intended to begin before 30th May 2016;
- (d) the site does not forms part of a safety hazard area;
- (e) the site is not, a military explosives storage area;
- (f) the building is not a listed building or is within the curtilage of a listed building; and
- (g) the site does not contain, a scheduled monument.

In order to determine the need for Prior Approval, it is necessary for developments falling under Class O to be assessed against only the following criteria:

- a) Transport and highways impact of the development;
- b) Contamination risks on the site; and
- c) Flooding risks on the site

# **Land Contamination**

A desktop study and evidence of some on-site investigation was submitted with the application. There is no evidence of land contamination and there is no history of a previous use which would have resulted in land contamination.

#### Flood Risk

A flood risk assessment has been submitted with the application and it is not disputed that the site is not in an area which is likely to flood.

## Transport and Highways

Policy DM TP2 states that the impact of new development on the transport network will be assessed against other plan policies and transport standards. The policy indicates that it is necessary to consider the impact of any new development on the existing wider and local transport network for all modes, how it links to the network, impacts on highway safety, the impact of parking and servicing, and with larger developments what provision has been made for the movement and parking of vehicles.

Policy DM TP8 seeks to ensure that developments provide an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions.

Policy DM TP7 states that new developments should provide appropriate cycle access and sufficient and secure cycle parking facilities.

It was noted during a recent site visit that there were 51 cars and a van belonging to the applicants parked on the site. The 2008 permission required the submission of a travel plan. Although this was submitted to the Council and approved in 2010, the condition imposed by the Inspector also required an annual monitoring report to be submitted to the Council. Since 2010 no monitoring report has been submitted (although it is not clear that the permission has been Implemented, and if not, the condition does not require compliance). The existing office building has a floorspace of 2500 sq m and the normal parking standard requirement for this amount of office floorspace would be 25 parking spaces.

There are two potential scenarios. If the new office building is not shown to have been commenced in 2011, planning permission no longer exists for it. As this application proposes providing one parking space for each of the 35 flats it meets the parking standards specified

by the Council. It is not considered that the amount of traffic generated by a residential rather than commercial use would make a significant difference to traffic numbers on the nearby roads. In those circumstances, it is not considered that an argument could be made for refusal on transport grounds.

The alternative scenario is that it can be demonstrated that work on the new building begun within the three year limited period. In which case the new office building still has planning permission and may be built. Three parking spaces are provided in the basement and these met the parking requirements at the time. In the case of the application now being considered the land for the new building is specifically shown outside the application site on the site plan. Also specifically omitted is a parking area which could provide an additional 8 or 9 space, giving a total of 11 or 12 which could be used by the new office building. Based on the current parking standards (which relate to floorspace), if such a building were to be granted today the Council would be seeking the provision of a maximum of seven spaces. Regardless of this, the flats proposed by this application still meet the parking standards by having one parking space per unit. Adequate cycle parking is also provided and therefore the proposed development meets the Council's off-street car and cycle parking standards, with no shortfall of spaces.

#### Conclusion:

Under Schedule 2 Part 3 Class O of the GPDO and application for a change of use of a building and any land within its curtilage to a use falling within Class C3 (residential) of the Schedule to the Use Classes Order from a use falling within Class B1(a) (offices) of that Schedule, the Council can only assess an application against a) Transport and highways impacts; b) Contamination risks; and c) Flooding risks. In considering these impacts the Council can have regard to the NPPF and the Local Plan Policies, so far as relevant to the subject matter of the prior approval. The three matters have been considered. The site is not liable to flooding and has no history which would indicate the likelihood of unacceptable land contamination. The parking standards are met and it is not considered that the amount of traffic generated by a residential rather than commercial use would make a significant difference. Subject to appropriate conditions it is considered that in this particular instance the application for 35 residential units would be acceptable.

## Recommendation:

Subject to any relevant new issues being raised as a result of consultation, that the Development Control Manager issues a written notice confirming that PRIOR APPROVAL IS REQUIRED AND HEREBY ISSUED for the proposed development, subject to the following conditions and informatives:

## Standard conditions:

DV18A – Refuse arrangements DV30 – Refuse Storage PK06A – Cycle Parking

#### Non Standard conditions:

NS01 - The development hereby granted prior approval, shall not be occupied other than as 17 1-bed units and 18 2-bed units as shown in drawing numbers HRA-04 and 05. REASON: To accord with the terms of the submission, and ensure the development does not raise unacceptable parking or traffic implications

NS02 - As part of the development hereby approved each flat shall be allocated one of the parking spaces indicated on drawing HRA-07. Each space shall thereafter be used only in associated with the individual flat it is allocated to, and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development does not prejudice the free flow of traffic and highway

and pedestrian safety.

NS03 - The only vehicular entrance to the site shall be off Hampton Road and the only vehicular exit from the site shall be on to Anlaby Road. Prior to the first occupation of the building details of the signage relating to the movement of vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and shall thereafter be retained.

REASON: To ensure the development does not prejudice the free flow of traffic and highway and pedestrian safety

NS04 - Prior to occupation of the dwellings hereby approved, details of Electrical Charging Points and bays for electrically propelled vehicles shall be submitted to and approved in writing by the local planning authority and the Electrical Charging Points shall be constructed in accordance with the approved details. A minimum of 20% of bays shall have active provision, with 20% passive provision.

REASON: To protect the amenities of local residents, road users and nature conservation interests

## Standard Informatives

IL05 – Drawing Numbers – HRA-01 to 07 and WVH 120 received on 1<sup>st</sup> April 2015 Composite Informative

#### Non Standard informative:

NI01 – The Metropolitan Police advise that due to its scale it would be appropriate for the developer to consider the benefits of Secured by Design and are invited to contact the Designing Out Crime Officer

## Background papers:

Application forms and drawings Neighbour letters of objection Previous applications – Ref 07/1172/FUL

Recommendation: The determination of this application falls within	in the scope of Officer delegated powers - YES / 🌬
I therefore recommend the following:	- Following Citte
<ol> <li>REFUSAL</li> <li>PERMISSION</li> <li>FORWARD TO COMMITTEE</li> </ol>	resolution
This application is CIL liable	YES* NO (*If yes, complete CIL tab in Uniform)
This application requires a Legal Agreement	YES* NO (*If yes, complete Development Condition Monitoring in Uniform)
This application has representations online (which are not on the file)	☐YES ☐NO
This application has representations on file	LYES NO
Case Officer (Initials):	Dated: 7. 5. 15
I agree the recommendation:	
Team Leader/Development Control Manager	
Dated:	
Development Control Manager has considere	entations that are contrary to the officer recommendation. The ed those representations and concluded that the application can in Committee of conjunction with existing delegated authority.
REASONS:	
CONDITIONS:	
INFORMATIVES:	
UDP POLICIES:	<del></del>
OTHER POLICIES:	
Uniform	neck by running the template once items have been entered into
SUMMARY OF CONDITIONS AND IN	NFORMATIVES
CONDITIONS:	
INFORMATIVES:	