



PLANNING STATEMENT

On behalf of Smartrose Estates Limited

In support of a planning application proposing the amalgamation of the 4 existing self-contained retail units (Use Class A1) and a single storey rear extension to create a single retail unit (Use Class A1) of 540 square metres, and the refurbishment of 3 existing upper floor residential units together with rear upper floor extensions to create an additional 7 residential units, providing a total of 10 residential units (1 x studio, 5 x 1 bed, 4 x 2 bed), at;

**179-181 High Street
Hampton Hill
Middlesex
TW12 1NL**

WYG ref. : A094477/Planning Statement
Date : May 2016



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1.0 Introduction

- 1.1 This planning statement has been prepared by WYG on behalf of Smartrose Estates Limited and forms part of a full planning application being submitted to the London Borough of Richmond upon Thames relating to land at 179-181 High Street, Hampton Hill, TW12 1NL.
- 1.2 This planning application proposes the amalgamation of the 4 existing self-contained retail units (Use Class A1) and a single storey rear extension to create a single retail unit (Use Class A1) of 540 square metres, and the refurbishment of 3 existing upper floor residential units together with rear upper floor extensions to create an additional 7 residential units, providing a total of 10 residential units (1 x studio, 5 x 1 bed, 4 x 2 bed).
- 1.3 This planning statement is submitted in support of this planning application and should be read in conjunction with the application drawings and the other technical reports that make up this application.
- 1.4 This statement details the nature of the application site and the surrounding area, the site history, and relevant development plan policies and associated guidance, followed by an assessment of the proposals against those policies, guidance and any other material planning considerations.
- 1.5 The statement concludes that the proposals accord with the adopted development plan and all other material planning considerations and accordingly planning permission should be granted, subject to the imposition of appropriate and reasonable conditions.



2.0 The Site and Surroundings

- 2.1 The application site comprises a rectangular shaped plot, fronting onto High Street to the west, and consists of part two, part three storey buildings, with a deep footway between the building line and the High Street carriageway.
- 2.2 Along its High Street frontage, at ground floor level, the application site comprises four separate retail (Use Class A1) units, which are currently trading as a barbers shop (27.3 metres ²), greengrocers (32.2 metres ²), charity shop (131.7 metres ²) and a sandwich bar (26.8 metres ²).
- 2.3 On its upper floors, the existing buildings comprise three flats, comprising 2 x 2 beds (74.7 metres ² and 57.5 metres ²) and 1 x 1 bed unit (42.7 metres ²). In total, the existing buildings comprise 393 metres ² of floorspace. The existing buildings, whilst not nationally listed, were designated as Buildings of Townscape Merit (BTM's) in September 1983, whilst the northern boundary of Hampton Hill Conservation Area (as extended in 1996) lies approximately 100 metres to the south of the application site.
- 2.4 The rear of the application site backs onto a substantial area of hardsurfacing used as a car park associated with residential properties located on Taylor Close. The site does not benefit from any pedestrian or vehicular access from the rear and the landlocked undeveloped rear portion of the site is overgrown. The mature trees within the rear portion of the site are however the subject of a Group Tree Preservation Order (T0851 G1).
- 2.5 There is no off-street vehicle or cycle parking provision associated with either the existing commercial or residential units. Neither the site nor the surrounding area is located within a Community Parking Zone (CPZ) but the High Street frontage of the site is controlled by a single yellow line, thereby preventing on-street parking during the day, whilst other parts of the High Street consist of single yellow or double yellow lines. The nearest public car park is accessed from Taylor Close to the west, which has a capacity of 72 car parking spaces and is operated by pay and display, with a time limit of 4 hours.
- 2.6 The surrounding area is mixed use in character, reflected by how the application site and its surroundings fall within a designated Area of Mixed Use, with the boundaries of that Area of Mixed Use also delineating the boundaries of Hampton Hill local centre.
- 2.7 The application site also falls within one of only two areas of designated Key Shopping Frontage within Hampton Hill local centre, with secondary frontage further to the north. The surrounding area is typically two and three storeys in character, comprising commercial uses at ground floor level with residential or offices above.
- 2.8 The site and its immediate surroundings has a Public Transport Accessibility Level (PTAL) of 2 (low/medium), with the nearest railway station being Fullwell railway station, which is approximately 500 metres/9 minutes walk away. This station is on the Shepperton Branch



Line and typical weekday services comprise 2 trains per hour heading towards London Waterloo, and 2 trains per hour heading towards Shepperton.

- 2.9 Four bus services travelling in both directions can be accessed from bus stops under 5 minutes walk from the application site, namely the R68 (Kew Retail Park to Hampton Court Station) service, the R70 (Nurserylands Shopping Centre to Richmond Circus) service, the 285 (Heathrow Airport to Kingston upon Thames) service and the X26 (Heathrow Airport to Croydon) service.
- 2.10 The application site and its surroundings fall within Flood Zone 1, and is a considerable distance from areas of greater flooding risk.



3.0 Relevant Planning History of Application Site and Surroundings

- 3.1 The Council's online statutory register of planning applications reveals that there have been one recent planning applications in respect of the application site.
- 3.2 In February 2004, planning permission was granted (application ref. 03/3460/FUL) for the erection of an additional storey to 181 High Street to provide 2 new second floor apartments. However, this permission was never subsequently implemented and has now lapsed.

Planning history of surrounding land

- 3.3 In July 2015, a planning application was submitted to the Council in respect of the area of hardsurfacing accessed from Taylor Close beyond the western boundary of the application site. That application proposed a new four storey block of 2 x 1 bedroom flats and 6 x 2 bedroom flats, together with the provision of 8 parking spaces and private amenity space.
- 3.4 That application was subsequently withdrawn by the applicant in September 2015.



4.0 The Proposed Development and Summary of Pre-Application Advice

- 4.1 The proposals for which planning permission is sought involve the amalgamation of the existing four small adjoining retail shops within the ground floor of the application site to provide a single retail store, which will also be extended to the rear by way of a single storey rear extension, resulting in gross retail floorspace of 540 metres ².
- 4.2 The existing three residential units on the upper floors of the application site will be refurbished and, through both reconfiguration of the existing residential floorspace and new upper floor extensions in the form of a mansard roof, a total of 10 residential units will be provided, comprising 1 x studio, 5 x 1 bed and 4 x 2 bed.
- 4.3 As part of the amalgamation of the ground floor commercial frontage, a new shopfront is proposed in order to enhance the appearance and setting of the existing Buildings of Townscape Merit, utilising low timber panelling with large fenestration panels. In order to enhance the appearance of this part of the High Street, it is proposed to plant 2 mature trees within the wide footway fronting the site.
- 4.4 All of the proposed residential units will satisfy the relevant standards in terms of room sizes and overall floorspace, and the majority of the units benefit from generously proportioned private amenity space. The three units which do not benefit from private amenity space directly front onto the High Street, and the proposals also incorporate approximately 134 metres ² of communal amenity space, in the form of a rear garden incorporating the existing protected trees.
- 4.5 Secure cycle parking is also proposed for each residential unit in the form of a secure, covered bicycle store adjoining the communal garden, together with communal refuse and recycling facilities. A separate service yard will serve the retail store, enabling the store operator to transfer deliveries and refuse to/from the yard to the High Street independently to the residential facilities.
- 4.6 Sustainable design features are incorporated into the proposals, including PV panels and sedum roofs.
- 4.7 Full details of the proposals are set out on the submitted drawings and within the Design and Access Statement, all of which have been prepared by Clive Chapman Architects, as well in the other supporting technical reports commissioned by the applicant.

Pre-application advice

- 4.8 In September 2015, a pre-application advice request was submitted to the Council in respect of a comprehensive redevelopment proposal for both the current application site and the adjoining land to the rear (currently comprising an area of hardsurfacing used as a car park).



- 4.9 A meeting with Council Officers subsequently took place followed by receipt of written pre-application advice from the Council, which can be found in Appendix 3 to the accompanying Design & Access Statement.
- 4.10 Although the application site which is the subject of the current proposals excludes the adjoining land to the rear, the proposals for the current application site have not changed considerably since pre-application advice was obtained, and as the content of the written pre-application advice reflects, the Council is supportive of the proposals.



5.0 Planning Policies and Government Guidance

- 5.1 At local level, the Development Plan for the application site and its surroundings comprises the London Borough of Richmond Core Strategy Development Plan Document (DPD), which was adopted in April 2009, and the Council's Development Management Plan DPD, which was adopted in November 2011.
- 5.2 The Council recently (in July 2015) announced its intention to review its planning policies contained with the above DPD's, and at the same time to process work on its Site Allocations DPD, but any such review is not expected to be the subject of public consultation until summer 2016 at the earliest and accordingly the adopted policies must continue to carry maximum weight in determining planning applications for the foreseeable future.
- 5.3 At regional level, the Further Alterations to the London Plan were published in March 2015 and also form part of the development plan for the application site and its surroundings.
- 5.4 At national level, the National Planning Policy Framework (NPPF) was published by the Government in March 2012 following public consultation, and streamlines previous national planning policy into a consolidated set of priorities, to ensure that planning decisions reflect genuine national objectives, with the principle of sustainable development permeating the framework.
- 5.5 The National Planning Policy Guidance (NPPG) was launched by the Government in March 2014 and streamlines previously published national guidance, which had taken the form of planning policy guidance notes and planning policy statements.
- 5.6 This statement now sets out the planning policies, objectives and guidance at local and national level considered relevant to the proposed development.

London Borough of Richmond upon Thames Core Strategy DPD

- 5.7 The Core Strategy Development Plan Document (DPD) was adopted in April 2009 and sets out the key elements of the Council's planning vision and strategy for the Borough. Adopted Core Strategy DPD policies relevant to this application include;
 - CP1 Sustainable Development - seeks to maximise the effective use of resources including land, water and energy, and to assist in reducing any long-term adverse environmental impacts of development.
 - CP2 Reducing Carbon Emissions – all new development will achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation unless it can be demonstrated that such provision is not feasible.



- CP5 Sustainable Travel – the Council will promote safe, sustainable and accessible transport modes such as walking, cycling and public transport as an alternative to the private car.
- CP7 Maintaining and Improving the Local Environment - all new development should recognise distinctive local character and contribute to creating places of a high architectural and urban design quality that are well used and valued.
- CP8 Town and Local Centres – such locations have an important role, providing shops, services, employment opportunities, housing and being a focus for community life, and the Council will improve the local environment to provides centres which are comfortable, attractive and safe for all users, and will protect the historic environment. This policy identifies Hampton Hill as a local centre.
- CP14 Housing – general policy setting housing targets, with density of residential proposals taking into account the need to achieve the maximum intensity of use compatible with local context, while respecting the quality, character and amenity of established neighbourhoods and environmental and ecological policies. Additionally, all housing should be built to Lifetime Homes standards and 10% of all new housing should be to wheelchair standards.
- CP15 Affordable Housing – housing provision is expected to include a range of housing to meet the needs of all types of households, and on sites below the threshold of ten or more units gross, a financial contribution to the Affordable Housing Fund commensurate with the scale of development will be expected.

The London Borough of Richmond Development Management DPD

5.8 The Council's Development Management Plan was formally adopted in November 2011 following previous public consultation and an Examination in Public in May 2011. Relevant policies from this DPD are listed below;

DM SD 1 Sustainable Construction – all development in terms of materials, design, landscaping, standard of construction and operation shall include measures capable of mitigating and adapting to climate change to meet future needs.

DM SD 2 Renewable Energy and Decentralised Energy Networks – new development will be required to comply with the Sustainable Construction Checklist, maximise opportunities for the microregeneration of renewable energy, reduce total carbon dioxide emissions, contribute towards decentralised energy supply from renewable and low carbon technologies, and connect to existing or planned decentralised energy networks where they exist.

DM SD 7 Sustainable Drainage – all development proposals are required to follow the drainage hierarchy when disposing of surface water and should utilise Sustainable Drainage Systems wherever practical.



DM SD 9 Protecting Water Resources and Infrastructure – new developments must achieve a high standard of water efficiency.

DM SD 10 Water and Sewerage Provision – new development will need to ensure there is an adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve the development.

DM TC 2 Local and Neighbourhood Centres and Areas of Mixed Use – the Council will protect and improve the provision of day-to-day goods and services in such area. Proposals for development will be acceptable in the smaller centre if they provide an appropriate mix of uses, which should maintain suitable provision for small businesses, and residential development could also be appropriate.

DM TC3 Retail Frontages – existing retail areas of the town centres within the Borough will be protected, and proposals that result in a loss of retail space in key shopping frontage will be generally resisted.

DM HD 1 Conservation Areas – designation, protection and enhancement – Conservation Area Appraisals and Management Plans will be used as a basis when determining proposals within, or where it would affect the setting of, Conservation Areas together with other policy guidance. New development (or redevelopment) should conserve and enhance the character and appearance of the area.

DM HD 3 Buildings of Townscape Merit – the Council will seek to ensure and encourage the preservation and enhancement of Buildings of Townscape Merit.

DM HO 4 Housing Mix and Standards – development should generally provide family sized accommodation, and housing mix should be appropriate to the location.

DM HO 6 Delivering Affordable Housing – the Council will, on sites capable of providing less than 10 units gross, seek a financial contribution to the Affordable Housing Fund commensurate with the scale of development.

DM TP 1 Matching Development to Transport Capacity – higher trip generating development will only be permitted in areas which are easily accessible by transport other than by the private car.

DM TP 3 Enhancing Transport Links – new developments will be expected to create or improve links with the local and wider transport networks, including links to the cycle and pedestrian networks.

DM TP 6 Walking and the Pedestrian Environment – new development will protect, maintain and where appropriate improve the existing pedestrian infrastructure and the safety and security of the pedestrian environment.



DM TP 7 Cycling – new development will provide appropriate cycle access and sufficient, secure cycle parking facilities.

DM TP 8 Off Street Parking – Retention and New Provision – car parking and cycle parking standards will be taken onto account.

DM DC 1 Design Quality – new development must be of a high architectural and urban design quality based upon sustainable design principles. Development must be inclusive and connect with and contribute positively to its surroundings.

DM DC 2 Layout and Design of Mixed Use Schemes – within appropriate areas, mixed use schemes will be permitted if they include a suitable and compatible mix of uses, add to the vitality and convenience of the area, take account of any potential adverse impacts of the juxtaposition of uses through the layout, design and operation of the area, and make the best use of land by sharing facilities and areas such as for parking, servicing, entrance ways and amenity space where appropriate.

DM DC 4 Trees and Landscape – proposals for new development should incorporate landscape proposals, including new trees and planting, and there will be a presumption against schemes that result in the significant loss of trees.

DM DC 5 – Neighbourliness, Sunlighting and Daylighting – in assessing proposals, the Council will seek to protect adjoining properties from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance, and will seek to ensure that the design and layout of buildings enables sufficient sunlight and daylight to penetrate into and between buildings, and that adjoining properties are protected from overshadowing.

DM DC 6 – Balconies and Upper Floor Terraces – purpose built, well designed and positioned balconies or terraces are generally encouraged where new residential units are on upper floors.

Relevant Local Supplementary Planning Documents/Guidance

- 5.9 To accompany the Council's adopted planning policies, the Council has published planning guidance in the form of Supplementary Planning Documents (SPD's) and Supplementary Planning Guidance (SPG's) relating to specific aspects of development control.
- 5.10 In respect of the proposals which are the subject of this planning application, these documents include the Design Quality SPD (adopted February 2006), the Borough CIL Charging Schedule and Planning Obligations (took effect on 1st November 2014), the Refuse and Recycling Storage Requirements SPD (adopted May 2015), the Residential Development Standards (adopted March 2010) and the Sustainable Construction Checklist SPD (first adopted August 2011, updated September 2015).



Further Alterations to the London Plan

- 5.11 In March 2015, the Mayor published the Further Alterations to the London Plan. The London Plan provides a spatial development strategy for Greater London up to the year 2036. Chapter One sets out the context and strategy of the Plan, setting out the major issues facing London and the Mayor's vision of the way London should develop.
- 5.12 Major issues identified include more households, a growing and ever changing economy, a changing climate, ensuring the infrastructure to support growth, and a new focus upon quality for life. The Mayor's vision is that London should excel among global cities, expanding opportunities for all its people and enterprises, achieving the highest environmental standards and quality of life and leading the world in its approach to tackling the urban challenges of the 21st century, particularly that of climate change.
- 5.13 Six detailed objectives for the city are set out within the London Plan, as listed below;

Objective 1 : A city that meets the challenges of economic and population growth in ways that ensure a sustainable, good and improving quality of life and sufficient high quality homes and neighbourhoods for all Londoners, and help tackle the huge issue of deprivation and inequality amongst Londoners, including inequality in health outcomes.

Objective 2 : An internationally competitive and successful city with a strong and diverse economy and an entrepreneurial spirit that benefits all Londoners and all parts of London; a city which is at the leading edge of innovation and research and which is comfortable with – and makes the most of – its rich heritage and cultural resources.

Objective 3 : A city of diverse, strong, secure and accessible neighbourhoods to which Londoners feel attached, which provide all of its residents, workers, visitors and students – whatever their origin, background, age or status – with opportunities to realise and express their potential and a high quality environment for individuals to enjoy, live together and thrive.

Objective 4 : A city that delights the senses and takes care over its buildings and streets, having the best of modern architecture whilst also making the most of London's built heritage, and which makes the most of and extends its wealth of open and green spaces, natural environments and waterways, realising their potential for improving Londoners' health, welfare and development.

Objective 5 : A city that becomes a world leader in improving the environment locally and globally, taking the lead in tackling climate change, reducing pollution, developing a low carbon economy, consuming fewer resources and using them more effectively.

Objective 6 : A city where it is easy, safe and convenient for everyone to access jobs, opportunities and facilities with an efficient and effective transport system which actively encourages more walking and cycling, makes better use of the Thames and supports delivery of all the objectives of this Plan.



5.14 Policy 1.1, entitled 'Delivering the Strategic Vision and Objectives for London' sets out how growth and change will be managed to realise the Mayor's vision and objectives within the current boundaries of Greater London without encroaching on the Green Belt, or on London's protected open spaces, and without having unacceptable effects on the environment.

5.15 Other policies relevant to this application include:

Policy 2.7 is a strategic policy which seeks to address constraints and opportunities in the economic growth of outer London so that it can rise above its long term economic trends, including by way of mixed use redevelopment of sites.

Policy 3.3 is a strategic policy recognising the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford. **Policy 3.4** relates to optimising housing potential and requires development to optimise housing output for different types of location within identified density ranges set out within Table 3.2. **Policy 3.5** requires housing developments to be of the highest quality internally, externally and in relation to their context and to the wider environment, thereby enhancing the quality of local places.

Policy 4.1 is a strategic policy which seeks to promote and enable the continued development of a strong, sustainable and increasingly diverse economy across all parts of London.

Chapter 5 of the Plan relates to climate change, with strategic **Policy 5.1** relating to climate change mitigation, **Policy 5.2** requires development proposals to make the fullest contribution to minimise carbon dioxide emissions, and **Policy 5.3** seeks to ensure that the highest standards of sustainable design and construction should be achieved to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

Chapter 6 of the Plan relates to transport matters, with strategic **Policy 6.1** encouraging patterns and nodes of development that reduce the need to travel, especially by car, and also seeking to improve the capacity and accessibility of public transport, walking and cycling. **Policy 6.3** requires the impacts of development proposals on transport capacity and the transport network to be fully assessed, and all proposals should not adversely affect safety on the transport network. **Policy 6.9** encourages developments to provide secure, integrated and accessible cycle parking facilities in line with minimum standards, and **Policy 6.10** states that development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space. **Policy 6.13** relates to parking provision and requires development proposals to accord with maximum standards, including the provision of parking for disabled people and providing for the needs of businesses for delivery and servicing.

Chapter 7 of the Plan relates to London's Living Places and Spaces, and strategic **Policy 7.1** relates to building London's neighbourhoods and communities, including the



development should be designed so that the layout, tenure and mix of uses interface with surrounding land and improve people's access to local shops, employment opportunities and commercial services. **Policy 7.2** requires all new development to achieve the highest standards of accessible and inclusive design, and **Policy 7.3** requires development to reduce the opportunities for criminal behaviour and contribute to a sense of security. **Policy 7.4** requires development to have regard to local character, including its form, function, structure, scale, mass and orientation, whilst **Policy 7.6** seeks to ensure development makes a positive contribution to a coherent public realm, streetscape and wider cityscape, including the incorporation of the highest quality materials and design appropriate to its context. **Policy 7.8** relates to heritage assets and requires development affecting such assets and their setting to conserve their significance by being sympathetic to their form, scale, materials and architectural detail.

Government Guidance

- 5.16 In March 2012, the Government adopted the National Planning Policy Framework (NPPF), following public consultation.
- 5.17 The NPPF sets out the Government's economic, environmental and social policies for England, and streamlines previously national planning policy into a consolidated set of priorities, to ensure that planning decisions reflect genuine national objectives, with the principle of sustainable development permeating the framework. It also confirms a presumption in favour of sustainable development unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits.
- 5.18 One of the key objectives of the NPPF is to build a strong, competitive economy, and it encourages Councils to plan proactively to meet the development needs of business and support an economy fit for the 21st century. Another key objective of the NPPF is to ensure the vitality of town centres, and at paragraph 23 the NPPF confirms that Councils should recognise how residential development can play an important role in ensuring the vitality of centres.
- 5.19 Paragraph 24 of the NPPF advises that Local Planning Authorities should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.
- 5.20 The NPPF goes on to clarify that when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m)



- 5.21 The NPPF also encourages Councils to support the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 5.22 Section 6 of the NPPF relates to the delivery of a wide choice of high quality homes, and confirms that Councils should normally approve planning applications for changes to residential use and any associated development from commercial buildings (although it should be emphasised this specifically cites B use classes) where there is an identified need for housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.
- 5.23 Section 12 of the NPPF relates to conserving and enhancing the historic environment, and paragraph 131 of the NPPF identifies three key factors Councils should take into account when determining conservation/heritage related applications, namely the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of such assets can make to sustainable communities including their economic viability, and the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.24 The NPPF also emphasises the importance of good and inclusive design as a key aspect of sustainable development, and confirms how design should contribute positively to making places better for people. It also stresses the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.25 The NPPF also seeks to promote sustainable transport, and recognises that the transport system needs to be balanced in favour of sustainable transport, giving people a real choice about how their travel.
- 5.26 The National Planning Policy Guidance (NPPG) was launched by the Government in March 2014 streamlines previously published national guidance, which had taken the form of planning policy guidance notes and planning policy statements.
- 5.27 The NPPG advises that the sequential test procedure guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of town centre locations, with preference for accessible sites which are well connected to the town centre. It supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking. The NPPG goes on to advise that the application of the sequential test should be proportionate and appropriate for the given proposal.
- 5.28 The NPPG also includes a section relating to conserving and enhancing the historic environment, which largely replicates previous national guidance as set out in Planning Policy Guidance Note 15. This section of the NPPG considers the factors that should inform decision taking about developments which would affect heritage assets, and



stresses the need for the nature, extent and importance of the significance of a heritage asset, and the contribution to its setting, to be properly assessed in order to understand the potential impact and acceptability of development proposals.

- 5.29 The NPPG was also updated in May 2016, following the Court of Appeal decision in the case of West Berkshire District Council and Reading Borough Council v Department for Communities and Local Government. Paragraph 31 of the updated NPPG advises that no contributions for affordable housing and tariff style planning obligations should be sought from developments of 10 units or less, and which have a maximum combined floorspace of not more than 1000 metres ².
- 5.30 This is reinforced by paragraph 20 of the updated NPPG, which clarifies that Local Planning Authorities can still seek obligations for site specific infrastructure, such as improving road access and the provision of adequate street lighting, where this is appropriate, to make a site acceptable in planning terms.
- 5.31 Finally, also of relevance to these proposals is the 'Technical Housing Standards – Nationally Described Space Standard' published by the Department of Communities and Local Government in March 2015, which sets out technical requirements for the gross internal (floor) area of new dwellings, including bedrooms and storage space.



6.0 Planning Assessment

6.1 The starting point for determining any planning application is set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”

6.2 This planning application raises various planning issues, and this statement now appraises the proposals in respect of these issues.

Principle of Amalgamation of Retail Units and Mixed Retail/Residential Use

6.3 The application site is currently in mixed use, comprising four retail (Use Class A1) units at ground level level, with three residential units (2 x 1 bed and 1 x 1 bed) at first floor level.

6.4 The proposals which are the subject of this planning application will both retain and enhance the existing mix of uses, as it is proposed that the four existing retail units (218 metres² of floorspace) will be amalgamated into one larger, extended retail store of 540 metres², whilst refurbishment of the existing residential units and associated upper floor extensions will provide 10 residential units at first and second floor level.

6.5 Development Management Plan policy DM TC 2 seeks to protect and improve the provision of day-to-day goods and services within designated areas of mixed uses, and uses within such locations are expected to primarily satisfy local needs, particular in the local centres, with Hampton Hill being identified as such a centre within the hierarchy of centres contained within Core Strategy policy CP8.

6.6 The proposal will ensure the retention and enhancement of retail premises by providing a modestly sized retail store providing day-to-day goods and services to meet local needs, with the scale of the store being entirely appropriate for this location to enhance the vibrancy and vitality of this local centre, whilst the external improvements to the shopfronts will enhance the Buildings of Townscape Merit which the application site comprises, and those improvements together with proposed tree planting within the footway at the front of the site will enhance the heritage, character and local distinctiveness of this local centre.

6.7 Criteria (d) of policy DM TC 2 outlines how development proposals in the smaller centres should enhance and modernise outmoded premises, and emphasises how development should improve and maintain commercial provision in the smaller centres, without significantly expanding it, and these proposals, through the enhancement, modest enlargement and improvement of the existing retail floorspace and its external appearance, will achieve both of those goals.

6.8 The Council’s development plan policies do not identify a threshold lower than the threshold of 2500 metres² identified within the NPPF for which a sequential assessment is



required to accompany applications for main town centre uses outside designated town centres.

- 6.9 Adopted Core Strategy policy CS8 identifies the hierarchy of centres within the Borough, and Hampton Hill is identified as a local centre, i.e. directly below the four district centres whose purpose is to provide for main weekly convenience shopping. The supporting text to the policy clarifies how local centres are essential for day-to-day shopping and provide a focus for local communities, being particularly important to the 24% of households who do not have cars.
- 6.10 Table 8.C within Core Strategy policy CS8 sets out the approach to be taken towards each of the centres within the hierarchy, and advises that in local centres, retail development should be located within, or well-related to, designated shopping frontages and should be appropriate for the size and function of the centre in order not to have an adverse effect within the centre or on other neighbouring centres.
- 6.11 In light of how the application site comprises designated key shopping frontage within a local centre, and the modest size (540 metres² of trading floorspace) of the retail store proposed, the proposed store is of an appropriate size and scale for this location, providing a focal point for day-to-day shopping needs, particularly for those local residents who do not have cars.
- 6.12 In November 2014, Nathaniel Lichfield & Partners published, on behalf of the Council, its 2014 update to the Richmond Retail Study. This study identified that at that time, there were only five smaller supermarkets (between 400 to 1000 metres² net) within the Borough, none of which are within Hampton Hill local centre, and the nearest such supermarket is the Tesco Metro within Teddington district centre, approximately 0.8 miles to the east.
- 6.13 The study also projected that there is scope for approximately 1,100 metres² of additional convenience goods floorspace outside Richmond centre or the 4 district centres up to the year 2024. It should be emphasised that the current proposals relate to an amalgamation and extension of existing retail floorspace, resulting in an additional 322 metres² of retail floorspace being created, and accordingly the proposals would still leave, based on the projections contained within the study, over 750 metres² of convenience goods floorspace that could be provided up to 2024 in other areas of the Borough outside of Richmond and the district centres.
- 6.14 The proposed store will serve the day-to-day shopping needs of the local community, whilst not diverting trade away from Richmond or the district centres, and nor adversely impacting upon existing smaller retail units within the local centre or the variety of choice and services available to the local population, given the considerable number of other hairdressers/barbers and cafe's within the local centre.
- 6.15 Accordingly, having relevant to relevant development plan policies and recent retail studies undertaken on behalf of the Council, the proposed amalgamation and extension of



the application site to provide a single retail store within designated key shopping frontage of Hampton Hill local centre would be entirely appropriate, with the refurbishment of the existing residential units and the additional residential units proposed playing an important role in ensuring the vitality of this local centre, and the improvements to these designated BTM's will both preserve and enhance the character and appearance of both the application site and its surroundings.

Housing Tenure and Mix

- 6.16 Taking into account the proposed refurbishment and extensions, 10 dwellings are proposed as part of these proposals, comprising 1 studio, 5 x 1 bedroom flats and 4 x 2 bedroom flats.
- 6.17 All of the units proposed comfortably exceed both minimum local and regional internal space standards. All but 3 of the units benefit from private amenity space, with several benefitting from generously proportioned terraces. The 3 units which do not benefit from private amenity space front directly onto the High Street, and given both the busy and public nature of this frontage and also the design constraints associated with this BTM, in this particular case it is considered that the lack of private amenity space to these 3 units is acceptable.
- 6.18 Furthermore, the proposals do incorporate a sizeable area of communal amenity space in the form of a 134 metre ² rear garden, and accordingly all future residential occupiers will benefit from that communal amenity space also. Additionally, the site is also within 5 minutes walk of Bushy Park.
- 6.19 The proposed housing mix is considered appropriate for this location, providing additional housing within a local centre whilst also retaining commercial floorspace and thereby playing an important role in ensuring the vitality of this local centre.
- 6.20 Additionally, the proposals will result in a far better relationship between the residential units and the ground floor retail store, as the current layout provides no dedicated private amenity space for the upper floor flats, and the proposals also incorporate communal refuse and recycling facilities and bicycle storage.
- 6.21 Whilst it is recognised that no family sized accommodation is provided as part of the proposals, given that the proposed residential accommodation is situated on the upper floors fronting a busy road, this location is not an ideal one for families, and accordingly in this particular case the absence of any family sized accommodation from the proposals is appropriate.
- 6.22 As the current/lawful use of the application site falls within Use Class A1 (retail) and Use Class C3 (residential), the provisions of adopted Core Strategy CP19 and Development Management policy DM EM 2 in respect of on-site affordable housing are not applicable.



- 6.23 Adopted Core Strategy policy CS15 (Affordable Housing) advises that on sites capable of ten or more units gross, the Council will expect at least 50% on-site provision of affordable housing, and where possible, a greater proportion than 50% affordable housing on individual sites will be achieved.
- 6.24 The scheme proposes 10 units gross (refurbishment of 3 units plus an additional 7 new units) and therefore having regard to policy CS15 would be expected to provide on-site affordable housing.
- 6.25 However, any such expectation is negated by the recent Court of Appeal decision in respect of the case involving West Berkshire District Council and Reading Borough Council v Department for Communities and Local Government [2015] EWHC 2222. Following that judgement, the NPPG has been updated, with paragraph 031 advising that this decision gives legal effect to the policy set out within the written Ministerial Statement of 28th November 2014.
- 6.26 That statement confirms that affordable housing contributions and tariff style obligations should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000 metres ².
- 6.27 In light of this recent judgement and the associated amendment of the NPPF, the proposed scheme, which represents the maximum achievable development of the site whilst having regard to specific site constraints and circumstances, is not required to provide any on-site affordable housing provision nor off-site contribution.

Design Considerations

- 6.28 The design rationale behind the proposals is fully explained in the Design and Access Statement prepared by Clive Chapman Architects which forms part of this planning application submission.
- 6.29 To summarise those documents, the proposals, which incorporate refurbishment and associated internal and external alterations to both the existing ground floor retail floorspace and the upper floor residential units, and extensions to provide both increased retail floorspace (by way of a single storey rear extension) and 7 additional residential units (by way of a mansard roof extension), will create a high quality mixed use development within an attractive environment for future occupiers which both preserves and enhances this designated Area of Mixed Use and the setting of this designated Building of Townscape Merit.
- 6.30 The proposals have been sensitively designed to ensure that the residential amenities of nearby residential properties are not adversely affected, as demonstrated by the accompanying Daylight and Sunlight Report, and to ensure that the occupiers of the new dwellings proposed benefit from good amenity and a high quality environment.



- 6.31 The proposals also incorporate a new shop front, with the store entrance being centrally located within the frontage of No. 179, and the frontage across No. 181 rebuilt in a manner that is consistent across the 2 buildings, and to match the design and appearance of the new shopfront to No. 179.
- 6.32 It is not considered that the existing shop fronts are of any architectural or historic interest, and the proposals will complement the appearance of both the surrounding streetscene and the application buildings themselves, thereby according with adopted Development Management Plan policy DM DC 7 (Shop Fronts and Shop Signs).
- 6.33 The proposals also incorporate energy efficiency measures to address the impacts of climate change and minimise the Borough's carbon footprint, including PV panels and sedum roofs, as detailed within the energy report which also forms part of this planning application submission.
- 6.34 Accordingly, the design of the proposed redevelopment accords with adopted Core Strategy policies CP1, CP2 and CP7, adopted Development Management policies DM SD 1, DM HD 1, DM HD 3, DM DC 1, DM DC 4, DM DC 5 and DM DC 6, local guidance as set out in the Council's Design Quality, Refuse and Recycling Storage Requirements, Residential Development Standards and Sustainable Construction Checklist SPD's, design policies contained within Chapter 7 of the London Plan, and national planning guidance as set out in the NPPF and NPPG.

Trees and Landscaping

- 6.35 It has been recognised from the outset that the existing mature trees which make up the rear (western) part of the application site are the subject of a group Tree Preservation Order (TPO).
- 6.36 The application is accompanied by a Tree Survey and Arboricultural Impact Assessment prepared by Challice Consulting which demonstrates that the proposals will not have any adverse impact upon these existing trees.
- 6.37 Additionally, as part of these proposals, it is proposed that mature trees are planted within the wide footway which forms the frontage of the application site, in order to enhance the appearance of the streetscene for the benefit of all local residents, in accordance with adopted Development Management Plan policy DM DC 4 (Trees and Landscape).

Transport and Parking

- 6.38 A Transport Statement, incorporating a parking survey, has been prepared by Paul Mews Associates as part of this planning application submission.
- 6.39 As the site is wholly landlocked and fronts onto the High Street, it is not possible to provide any off-street parking for either customers of the retail store or occupiers of the proposed residential units. Given that the site does not fall within a CPZ it is not possible



to enter into a agreement preventing future residential occupiers from applying for on-street parking permits.

- 6.40 Having regard to the findings of the parking survey, and in particular the availability of both on-street parking and the pay and display car park accessed from Taylor Close, there remains sufficient on-street parking capacity for both retail store customers and residential occupiers.
- 6.41 It is anticipated that few customers will travel by car specifically to visit the retail store proposed by this application, and instead the majority of customers will already be visiting the local centre by car to avail of the other facilities and services available within the local centre. It is also anticipated that the future occupiers of the residential units are unlikely to own a car, given how the proposed unit mix is directed towards smaller units and the proximity of the site to both public transport services and the facilities and services on offer within the local centre.
- 6.42 In accordance with London Plan policy 6.9 and associated local supplementary planning guidance, the proposals also provide cycle parking facilities for future residential occupiers, whilst servicing would continue to take place from the High Street given that it is not possible for servicing to be achieved from the rear.
- 6.43 The NPPF confirms that development proposals should only be refused on transport and/or parking grounds when the impacts are 'severe', but in this case the proposals are wholly in accordance with relevant planning policies and associated guidance.



7.0 Conditions

- 7.1 The applicants are willing to accept the imposition of appropriate, necessary and reasonable conditions upon the granting of planning permission, and we welcome discussion as to the content of such conditions during the determination of this planning application.



8.0 Conclusions

- 8.1 As detailed within this planning statement, the proposals that are the subject of this planning application submission fully comply with all relevant adopted development plan policies and all other material planning considerations.
- 8.2 The enhanced mixed use proposal for the application site will provide a modestly sized retail unit of a size and scale appropriate to this local centre, contributing positively to its vitality and viability and complementing the existing facilities and services on offer within the centre. The refurbished 3 residential units and the additional 7 residential units proposed will provide high quality accommodation, all of which will exceed relevant local and regional standards.
- 8.3 The proposed alterations and extension will also enhance the Building of Townscape Merit which the application site comprises, and have been sensitively designed to ensure that the residential amenities of neighbouring residential properties are not adversely affected, and that the protected trees within the rear of the site are unharmed.
- 8.4 Consequently planning permission should be granted for these proposals, subject to the imposition of appropriate conditions.