

Application reference: 16/1537/FUL HAMPTON WARD

Date application received	Date made valid	Target report date	8 Week date
20.04.2016	05.05.2016	30.06.2016	30.06.2016

Site:

85 Station Road, Hampton, TW12 2BJ,

Proposal:

Convert the house into two family dwellings.

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

APPLICANT NAME

Mr & Mrs P Patel
85, Station Road
HAMPTON
TW12 2BJ

AGENT NAME

Mr James Lloyd
15
Teddington Business Park
Station Road
Teddington
TW11 9BQ
United Kingdom

DC Site Notice: printed on 12.05.2016 and posted on 20.05.2016 and due to expire on 10.06.2016

Consultations:

Internal/External:

Consultee

- Thames Water Development Control Department
- LBRUT Transport
- 14D POL

Expiry Date

02.06.2016
26.05.2016
26.05.2016

Neighbours:

- 1 Avenue Road, Hampton, TW12 2BH, - 12.05.2016
- Ground Floor Front, 87 - 89 Station Road, Hampton, TW12 2BJ, - 12.05.2016
- Ground Floor Rear, 87 - 89 Station Road, Hampton, TW12 2BJ, - 12.05.2016
- Flat 1, 87 - 89 Station Road, Hampton, TW12 2BJ - 12.05.2016
- Flat 2, 87 - 89 Station Road, Hampton, TW12 2BJ, - 12.05.2016
- 83 Station Road, Hampton, TW12 2BJ, - 12.05.2016
- 83A Station Road, Hampton, TW12 2BJ - 12.05.2016
- 83B Station Road, Hampton, TW12 2BJ, - 12.05.2016

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

Development Management

Status: GTD Application: 00/0308
Date: 14/04/2000 Internal Alterations And Conversion Of Property Into Two Flats.

Development Management

Status: REF Application: 02/2709
Date: 18/10/2002 Erection Of First Floor And Roof Extension To Rear

Development Management

Status: GTD Application: 98/2157
Date: 26/02/1999 Change Of Use Of Front Part Of Ground Floor From Retail To Residential As An Extension To The Existing Residential Unit. Associated Alterations To Front Elevation.

Development Management

Status: GTD

Date: 03/03/1999

Application: 98/2157/DD01

Details Pursuant To Condition Bd06u (materials) Of Planning Permission 98/2157/ful Dated 5th November 1998.

Development Management

Status: GTD

Date: 07/05/1999

Application: 98/2157/DD02

Details Pursuant To Condition Bd04u (windows) And Bd11u (fascia Panel) Of Planning Permission 98/2157/ful Dated 5/11/98.

Development Management

Status: REF

Date: 03/10/1986

Application: 86/1220

Erection of single storey extension.

Development Management

Status: GTD

Date: 08/01/1987

Application: 86/1787

Erection of rear extension.

Development Management

Status: REF

Date: 13/04/1988

Application: 88/0559

Erection of a first floor rear extension over existing ground floor extension.

Development Management

Status: WDN

Date: 23/09/2015

Application: 15/3688/PS192

Division of property into 2 units

Development Management

Status: REF

Date: 17/12/2015

Application: 15/4084/FUL

CONVERT HOUSE INTO 2 FAMILY DWELLINGS

Development Management

Status: PCO

Date:

Application: 16/1537/FUL

Convert the house into two family dwellings.

Building Control

Deposit Date: 05.12.2003

Reference: 03/2386/BN

First floor rear extension and additional bedroom and bathroom.

Building Control

Deposit Date: 12.01.1999

Reference: 99/0056/BN

Change of front of shop into habitable room

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES/NO

I therefore recommend the following:

1. REFUSAL
2. PERMISSION
3. FORWARD TO COMMITTEE

☐
☒
☐

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 CAP

This application has representations on file

☒ YES☐ NO

Case Officer (Initials): DAA

Dated: 02/08/17

I agree the recommendation:

Team Leader/Development Control Manager

Dated: 15/3/17

This application has been subject to representations that are contrary to the officer recommendation. The Development Control Manager has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Development Control Manager:

Dated:

REASONS:**CONDITIONS:****INFORMATIVES:****UDP POLICIES:****OTHER POLICIES:**

16/1537/FUL

85 Station Road, Hampton, TW12 2BJ

Site and Surroundings

The application site comprises a semi-detached 5-bedroom residential dwelling located on the southern side of Station Road Hampton. The site does not comprise a statutory or locally listed building, but is located within the Hampton Village conservation area. The site is located within a designated 'Mixed Use Area', though does not comprise a 'Key' or 'Secondary' Shop Frontage. The adjoining semi-detached property comprises a commercial use at ground floor level.

Planning History

- 15/4084/FUL - CONVERT HOUSE INTO 2 FAMILY DWELLINGS - Refused 17/12/2015
- 15/3688/PS192 - Division of property into 2 units – Withdrawn
- 02/2709 - Erection Of First Floor And Roof Extension To Rear – Refused
- 00/0308 - Internal Alterations And Conversion Of Property Into Two Flats - Granted permission 13/04/2000
- 98/2157 - Change Of Use Of Front Part Of Ground Floor From Retail To Residential As An Extension To The Existing Residential Unit. Associated Alterations To Front Elevation - Granted permission 26/02/1999
- 88/0559 - Erection of a first floor rear extension over existing ground floor extension – Refused 13/04/1988
- 86/1787 - Erection of rear extension - Granted 08/01/1987
- 86/1220 - Erection of single storey extension - Refused 03/10/1986

Planning application 15/4084/FUL was refused for the following reasons:

- *In the absence of a binding obligation towards the provision of an affordable housing contribution the proposal will prejudice the delivery of affordable housing in the Borough, the proposal would be contrary to policy DM HO 6 of the Richmond upon Thames Development Management Plan 2011 and policy CP 15 of the Richmond Upon Thames Core Strategy 2009 as well as Supplementary Planning Document 'Affordable Housing'*
- *The proposal would result in an intensification of the use of the site without the provision of parking required to comply with published guidelines and the parking standards. Parking surveys suggest that the surrounding area is already heavily parked and the additional demand created by the proposal would exacerbate the situation. The proposal is therefore contrary to policy DM TP 8 of the Richmond upon Thames Development Management Plan 2011 and Supplementary Planning Document 'Front Garden and other Off Street Parking Standards'.*

Proposal

The application seeks the conversion of the existing five bedroom house into two family dwellings (1x2 bedroom and 1x3 bedroom). An existing door accessed via the side passage will be used as the entrance to Dwelling B. No elevational alterations are proposed as a result of this proposal.

Development Plan Policies

The proposal has been considered having regard to the policies within the National Planning Policy Framework, the London Plan Consolidated with Alterations (March 2016), and the Council's Local Plan, in particular:

London Borough of Richmond-upon-Thames Core Strategy 2009: CP1 (Sustainable Development); CP7 (Maintaining and improving the Local Environment); CP14 (Housing); and; CP15 (Affordable Housing)

London Borough of Richmond-upon-Thames Development Management Plan 2011: *DM SD 1 Sustainable Construction; DM SD 3 Retrofitting; DM HD 1 Conservation Areas - designation, protection and enhancement; DM HO 1 Existing Housing (including conversions, reversions and non-self-contained accommodation); DM HO 4 Housing Mix and Standards; DM HO 6 Delivering Affordable Housing; DM TP 7 Cycling; DM TP 8 Off Street Parking - Retention and New Provision; DM DC 1 Design Quality; and; DM DC 5 Neighbourliness, Sunlighting and Daylighting*

London Borough of Richmond-upon-Thames Supplementary Planning Documents: *Residential Development Standards SPD 2010; 'Affordable Housing' March 2014; and; 'Refuse and Recycling Requirements' April 2015*

In line with the NPPF, the emerging Local Plan will be given weight in the decision making process according to its stage of preparation (i.e. the more advanced the preparation, the greater the weight that may be given). Cabinet have agreed at its meeting on 13 December to adopt and use the Publication Local Plan for determining planning applications and development management purposes. The Publication Local Plan is therefore now a material consideration when assessing planning applications. Therefore the following policies within the emerging Local Plan have been afforded weight in the consideration of the proposed development:

- Policy LP 1 Local Character and Design Quality
- Policy LP 3 Designated Heritage Assets
- Policy LP 8 Amenity and Living Conditions
- Policy LP 20 Climate Change Adaptation
- Policy LP 22 Sustainable Design and Construction
- Policy LP 34 New Housing
- Policy LP 35 Housing Mix and Standards
- Policy LP 36 Affordable Housing
- Policy LP 38 Loss of Housing
- Policy LP 45 Parking standards and servicing

Public and other representations

Following consultation with neighbouring residential properties and the publication of a site and press notice, the Council has received 1 letter of objection which raises the following material planning concerns;

- The proposed development would not be in keeping with the Victorian Houses along the streetscene.

Other concerns raised relating to the obstruction of the highway and pavements are outside of the control of planning.

Professional comments

The main issues to take into consideration for this proposal relates to the principle of development, housing mix, impact upon the character and appearance of the surrounding area, impact upon the amenities of future occupiers and those enjoyed by neighbouring properties, transport and parking, sustainability, and affordable housing.

Principle of Development

Chapter 6 of the National Planning Policy Framework (NPPF) encourages local planning authorities to 'boost significantly the supply of housing' to 'deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities'. Encouragement for the delivery of new housing is also expressed within Policy 3.3 of the London Plan (2016) and Policy CP14 of the Council's Core Strategy.

Policy DM HO1 of the DMP seeks the retention of existing housing stock where possible, with paragraph 5.1.7 stating that *"The conversion of larger types of houses to flats can make a contribution to meeting certain housing needs and provides the opportunity to meet the need for small units. However...only certain types of property are suitable for conversion, and...there are some areas where conversions would be incompatible with the existing character of the area, or lead to unacceptable parking conditions. In considering in principle the suitability of a property for conversion the Council will take into account:*

- *the size of the property and its physical characteristics;*
- *on-street parking conditions and restrictions; the adequacy of bus and rail transport and on-site parking proposed;*
- *the amount of off-street parking;*
- *the need to protect the established character of existing residential areas;*
- *the effect on the amenities of adjoining premises; and;*
- *the extent to which the property contributes to meeting specific community needs."*

Paragraph 5.1.8 goes on to states that *"In cases where the Council accepts that in principle a property may be suitable for conversion, the design of the conversion will be required to provide a satisfactory standard of accommodation and contribute positively to its surroundings."* In assessing this point, the Council will take account of the following considerations [inter alia]:

- *"number of units in relation to size of property and layout;*
- *level of daylighting and sunlight and avoidance of overlooking;*
- *mix of unit sizes, and the need to increase the supply of small low cost units for rent and owner-occupation;*
- *access to private amenity space"*

It is noted that the aims and objectives of Policy DM HO 1 are carried forward within emerging Policy LP38 of the Publication Version of the Local Plan and its supporting paragraphs. An assessment against the abovementioned criteria, and as such that of emerging Policy LP38, is set out in greater detail below.

The host property is a semi-detached dwelling located within a mixed use area along Station Road in Hampton Village. Planning permission was granted in February 1999 under reference 98/2157 for the conversion of the retail floorspace of No.85 to residential as part of an extension to this unit. Nonetheless, whilst there are other examples of residential units fronting onto Station Road, a number of surrounding properties and uses are commercial, and as such Station Road is mixed in character and not a homogenous street of family housing. The streetscene of Station Road comprises a mix of property typologies, with detached, semi-detached, and short terraced runs, typically comprising commercial uses at ground floor with residential above. The prevailing character of adjoining streets is one of two storey terraced housing.

Therefore, having regard to the mixed character of the area and proximity of other residential uses, it is considered that the proposal would not, in this regard, detract from the character of the area. Furthermore, it is noted that the Council raised no objection to the principle to the proposed development in the assessment of application 15/4084/FUL.

Therefore, given that the application site comprises an existing residential unit, and would maintain this use with the provision of one 'family sized' three bedroom unit and one two bedroom unit, it is considered that principle of the subdivision of the existing residential unit to create 1x3 bedroom and 1x2 bedroom accommodation is acceptable subject to compliance with other relevant provisions of the development plan and other material planning considerations.

Character and Appearance

In assessing the impact of the development on the setting of the conservation areas the Council has considered the test set out in section 72(1) of the Planning (Listed Building and Conservation Areas) 1990. Under this act the Council must have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The tests as set out above are also encapsulated in Policy DM HD 1 of the DMP 2011 and emerging policy LP3 of the publication version of the Local Plan where applications should only be granted where they, conserve and where appropriate enhance the significance, appearance, character and setting of heritage asset and the surrounding historic environment.

Policy CP7 states that *'existing buildings...will be protected from inappropriate development and enhanced sensitively'*. Policy DM DC1 states that new development *'must be of a high architectural and urban design quality based on sustainable design principles. Development must be inclusive, respect local character including the nature of a particular road and connect with and contribute positively to its surroundings based on a thorough understanding of the site and its surroundings'*.

The proposed sub-division of No.85 would not concern external alterations to the building, utilising the existing door and window openings for both units. Therefore, the application is not considered to have an adverse impact upon the visual amenities of the streetscene and surrounding conservation area. The proposed development is therefore deemed acceptable and is in accordance with the relevant provisions of Policy DM DC1 of the DMP and emerging Policy LP1 of the publication version of the Local Plan.

Residential Amenity of Neighbouring Occupiers

Policy DM DC5 states that in considering proposals for development the Council will seek to protect the adjoining properties from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance. Further, it states that the Council will generally seek to ensure that the design and layout of buildings enables sufficient sunlight and daylight to penetrate into and between buildings and that adjoining land or properties are protected from overshadowing in accordance with established standards.

As the proposed development does not concern any extension to or increase in the envelope of the existing building, it is considered that the scheme would not harm the amenities of neighbouring properties with regards to loss of daylight and outlook.

With regards to privacy and overlooking, whilst the proposed dwellings would comprise habitable room windows with an outlook toward No.87 Station Road, it is noted that such a relationship between the properties is similar to the existing arrangements. As such, it is considered unreasonable of the Council to refuse an application on this basis, as the impact to the neighbouring occupiers is considered to be no greater than the existing arrangements.

As such, the scheme would not result in an unreasonable loss of amenity when viewed from neighbouring properties and would be compliant with Policy DM DC5 and DM HO 1 of the DMP and emerging Policy LP8 and LP38 of the publication Local Plan in this regard.

Residential Amenity of Future Occupiers

Policy DM HO4 requires all new housing developments to comply with external and internal space standards. It states the Council will only grant planning permission for new dwellings that provide adequate internal space and appropriate external private and/or communal amenity space to meet the needs generated by the development.

Since 1 October 2015 the Council is applying the Nationally Described Space Standard, and this is carried forward within Policy LP 35 of the Publication Local Plan. For a single storey dwelling the Standards set a minimum gross internal floor area of 74sqm for a 3 bed 4 person dwelling and 61sqm for a 2 bed 3 person dwelling. Taking the proposed room sizes into consideration (with some of the bedrooms falling under the NDSS standards for double rooms), the proposed unit sizes exceed the relevant standards for both units.

Whilst it is noted that some of the habitable rooms/bedrooms would have a single aspect outlook toward the flank elevation of No.87, this is comparable with the existing layout of the property, with each of the proposed bedrooms (to both units) used as a bedroom at present. Whilst this layout is not ideal, it is considered unreasonable of the Council to refuse and application on this basis, as the impact to the future occupiers of these rooms would be no greater than the existing arrangements.

The external amenity space is proposed as being communal with no details provided of the sub-division of this space. Whilst split between the use of both dwellings, no objection was raised to the provision of such amenity space under application 15/4084/FUL.

As such, it is considered that the proposed development would provide a satisfactory standard of accommodation for the future occupiers of the premises, and would accord with Policies DM HO4, and emerging Policy LP 35 in this regard.

Highways and parking

Policy DM TP7 states that new development should provide appropriate cycle access and sufficient, secure cycle parking facilities. The cycle parking standards require that one cycle space be provided for each of the units. Whilst no details of such storage have been provided the Council's Highways Officer considers that such details of the design and means of securing any cycle could be secured by an appropriately worded condition which is considered to satisfy Policy DM TP7 in this regard.

Policy DM TP8 states that it is expected that in low PTAL areas (1-4) that the parking standards should be met. In accordance with the TFL Planning Information Database, the site has a PTAL level of 2 (poor) and is not located within a Controlled Parking Zone though Station Road is subject to waiting restriction. As such, to accord with the Council's parking standards; the proposals should provide three on-site parking spaces (one for the 2 bedroom dwelling and two for the 3 bedroom dwelling) to ensure the development will not result in on-street demand for parking.

However, the existing site does not provide any space for off-street/on-site parking. Similarly, the proposed development would not include provision for off-street/on-site parking, therefore meaning that any parking associated with the proposed units would occur on-street. Using the Council's adopted parking standards specified within Appendix Four of the DMP, the existing 5 bedroom dwelling would generate a requirement for 2 parking spaces. Together the proposed 2 bedroom and 3 bedroom dwellings would generate a requirement for 3 parking spaces, therefore resulting in a demand for an additional space.

It is worth noting that the parking standards set out within Table 6.2 of Policy 6.13 of the London Plan Consolidated with Alterations (March 2016). While Table 6.2 is caveated regarding outer London areas with low PTAL (generally PTALs 0-1), where boroughs should consider higher levels of provision, the maximum parking standards is set at 'up to 1.5 parking spaces per unit' for 3 bedroom dwellings, and 'less than 1 per unit' for 1-2 bedroom dwellings.

The site has access to three bus services: 111 and 216 from 'Hampton & Richmond FC' stops J and E adjacent to the site along Station Road and bus service R68 from Park Close stop T on the High Street to the east of the site. The site also has access to rail services from Hampton Railway Station

which is served by the Shepperton Branch Line rail service, to/from London Waterloo to Shepperton and is approx. 480m / 5mins walk to the west.

Within the submitted Transport Technical Note (prepared by Kronen Ltd dated February 2016) details that a parking survey was carried out, undertaking two overnight weekday manual parking surveys, during early February 2016. The parking surveys have been undertaken with reference to procedures outlined in Lambeth Council Parking Survey Guidance Note (Lambeth Council, 2012), and the LB Richmond parking survey methodology set out in Appendix A of the draft Developers Transport Supplementary Planning Document. The parking surveys submitted within the Transport Technical Note found existing overnight parking stress at 106% on unrestricted kerb space and 103% when other restrictions on Station Road are included.

The Council's latest parking beat surveys for this area undertaken on 10th and 11th February 2014 indicate a parking stress on each date of 96% and 97% respectively.

Supporting justification put forward with the application, states that whilst the site does not provide any off-street parking, the applicant has 'up until recently... owned and generated an on-street parking demand of up to five vehicles; at the time of writing this is slightly lower at three vehicles.' Therefore, the applicant contends that 'the proposed conversion...will not generate any additional on-street parking demand to that set out above'. To this effect, DVLA vehicle registration details have been provided to show that three vehicles are licensed at the application site address.

Previous planning permission 98/2157 for the conversion of No.85 into two flats was not implemented and has subsequently expired due to time lapse. Under this previous application the officer at the time considered the impact of the proposals upon local parking conditions acceptable as the application property was sited within a central location and close to bus routes and train lines. Since this previous application it is acknowledged that the demand for on-street parking has increased and the area is known to be 'heavily parked'. This conclusion led to the refusal of application 15/4084/FUL.

However, paragraph 32 of the National Planning Policy Framework states that [inter alia] "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*".

In light of the parking context of the application site, and the shortfall of parking when taking into considerations the Council's adopted standards, it is considered appropriate to attach a condition to any consent requiring a scheme to be agreed prior to implementation of the proposed development which ensures that, with the exception of disabled persons, no residential occupier of 'Dwelling B' (as shown on drawing no. P583/03 REV A) shall obtain a resident parking permit within any controlled parking zone which may be in force in the area.

Subject to such a condition, together with the sites relatively close proximity to alternate means of transport through the bus and train, and the additional information put forward by the applicant, whilst the proposed development would result in in demand for one additional parking space in comparison to the existing, such a demand is not considered to result in a significant or severe impact in the context of the National Planning Policy Framework, and as such the proposals are considered to overcome the previous reason for refusal under application ref: 15/4084/FUL.

Sustainability

Policy CP1 states that development will be required to conform to the Sustainable Construction Checklist. A completed Sustainable Construction Checklist has been submitted scoring a total of 56 suggesting the scheme would help to significantly improve the Borough's stock of sustainable developments.

Policy DM SD2 states that development of 1 dwelling unit or more will be required to reduce their total carbon dioxide emissions. From October 2016 smaller residential schemes (below 10 units) must achieve a 35% reduction in CO2 emissions (regulated) against a Building Regulations Part L (2013) baseline. The thrust of the abovementioned policies are carried forward within the Publication Local Plan, specifically Policies LP20, and LP22.

BREEAM domestic refurbishment pre-assessment states that Excellent Rating will be achieved for the proposed dwelling, which will also achieve a 40% reduction in carbon dioxide emission over Building Regulations Part L (2013) baseline. Therefore, subject to an appropriately worded planning condition securing this level of sustainability, the proposal would comply with the Council's Sustainable Construction Checklist SPD and the aims and objectives of the above mentioned policies.

Affordable Housing

Policy CP15 states that some form of contribution towards affordable housing will be expected on all new housing sites. Policy DM HO6 states the Council will seek the maximum reasonable amount of affordable housing when negotiating on private residential schemes.

The Council has considered the Secretary of State's Written Ministerial Statement of 28 November 2014 (and any future reinstatement of Planning Policy Guidance in this respect) in light of the Court of Appeal's judgement of 11 May 2016. The Council's local evidence of affordable housing need remains substantial and small sites make a significant contribution to housing supply and therefore need to contribute to affordable housing provision through continued implementation of Policy DMHO6. Furthermore, the approach outlined above is also set out in the Publication Local Plan policy LP 36 which has been adopted for the use of determining planning applications and development management following a report to the Council's Cabinet on 23 June 2016.

In line with the above policy and guidance, the contribution that would be sought would be discounted to represent 8% affordable housing, given the proposal is to create two units through conversion. The applicant has submitted a Financial Viability Appraisal (April, 2016) which concludes that the proposal is unable to viably support an affordable housing contribution in accordance with the above policy framework. An independent review of the Financial Viability Appraisal was undertaken by the Council's independent viability expert who concludes that the Council should not seek affordable housing contributions for this scheme.

It is therefore considered that the proposal, which does not provide any on-site affordable housing provision or make any off-site financial contributions, overcomes a reason for refusal of application 15/4084/FUL and would comply with Policy CP15 of the Core Strategy, DM HO6 of the DMP and emerging Policy LP 36 of the publication version Local Plan.

Conclusion

The proposal seeks the conversion of the existing 5 bedroom dwelling into 1 x 3 bedroom dwelling and 1 x 2 bedroom dwelling. The application does not propose any external alterations, and would comply with relevant planning guidelines in terms of floor space standards and private amenity space. The proposed conversion would also achieve a BREEAM Domestic Refurbishment rating of Excellent, and exceed the Council's policy requirement for a 35% reduction in CO2 emissions (regulated) against a Building Regulations Part L (2013) baseline.

Furthermore, subject to condition and following the submission of additional information with regards to highways and parking matters, and the demonstration through Financial Viability Appraisal that the proposal is unable to viably support an affordable housing contribution, the proposed development is considered to overcome the previous reasons for refusal of application 15/4084/FUL. The proposed

development is therefore considered acceptable with regards to highways and parking considerations and the provision of affordable housing contributions.

Recommendation

Approve subject to conditions and informatives