

Application reference: 17/2779/NMA2
HAM, PETERSHAM, RICHMOND RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
07.12.2018	14.12.2018	17.01.2019 11.03.2019	10.01.2019

Site:

HMP Latchmere House, Church Road, Ham, Richmond

Proposal:

Non-material amendment to planning permission 17/2779/VRC (Removal of condition U05665 - NS09 (Formally condition 9 - Lifetime Homes Standards) of Planning Permission 16/0523/VRC) to allow alterations to end of terrace house including:

- Internal alterations to reflect the change in footprint
- Change to the entrance of the house from a front entrance to a side entrance with associated entrance porch and pedestrian access
- Removal of front door and replaced with window

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

APPLICANT NAME

Mrs Helle Dorrington
Chelsea Bridge Wharf
380 Queenstown Road
London
SW11 8PE

AGENT NAME

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

Consultations:

Internal/External:
Consultee

Expiry Date

Neighbours:

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

Development Management

Status: RNO Application:03/1864/C84
Date:03/07/2003 Proposed New Library.

Development Management

Status: WDN Application:91/0951/FUL
Date:18/07/1991 Erection Of 3no. 32' X 12' Portacabins For Use As Doctors Surgery For A Period Of 9 Months, (building Work At Existing Surgery 192 Tudor Drive)

Development Management

Status: WNA Application:91/1183/FUL
Date:26/08/1991 Erection Of Portacabin Buildings For Use As Temporary Doctors Surgery For Period Of 9 Months.

Development Management

Status: WNA Application:94/3495/C84
Date:06/12/1994 Renovation Of Existing Kitchen Building And Erection Of New Single Storey Workshop Building.

<u>Development Management</u> Status: WNA Date:19/01/1996	Application:94/3589/FUL Extension Of Car Parking Area And Change Of Use Of Portacabin From Visitors Seating Area To Office Premises
<u>Development Management</u> Status: REF Date:02/02/1998	Application:97/2335 Construction Of New Prison Access Road, In Place Of The Existing Access To Be Closed Off.
<u>Development Management</u> Status: ROB Date:22/01/1998	Application:97/2506 Erection Of External Staircase From Governors Building Second Floor Level To Ground Level.
<u>Development Management</u> Status: RNO Date:23/01/1998	Application:97/2652 Erection Of A Single Storey Extension To Front Of Existing Gate Lodge.
<u>Development Management</u> Status: RNO Date:05/05/1999	Application:98/2693 Proposed Additional Car Parking Facilities.
<u>Development Management</u> Status: GTD Date:25/08/2006	Application:06/2069/FUL Proposed erection of a two storey building and accompanying basement comprising seven flats with associated parking.
<u>Development Management</u> Status: GTD Date:30/11/2006	Application:06/3457/FUL Repair main administration building roof, remove redundant rooflights, install new sunpipes and new high performance roof coverings to existing flat roof areas, replace slate roof covering over part of (admim/finance) roof with new artificial slate and replace fascia to front/side elevation.
<u>Development Management</u> Status: GTD Date:23/08/2007	Application:07/2477/FUL Installation of satellite dish affixed on to the roof of the boiler room.
<u>Development Management</u> Status: WNA Date:16/10/2009	Application:09/2036/FUL Installation of a diesel electrical generator and associated acoustic housing.
<u>Development Management</u> Status: GTD Date:06/04/2010	Application:10/T0038/TPO T1 - Oak - Fell
<u>Development Management</u> Status: RNO Date:30/07/2012	Application:12/T0315/TCA See schedule of works
<u>Development Management</u> Status: WTD Date:08/06/2015	Application:14/0450/FUL Demolition of existing buildings, excluding Latchmere House. Provision of 58 residential units (Use Class C3) comprising 51 new build units and the conversion and ground floor extension of Latchmere House to provide 7 apartments. Formation of a new highways access from Latchmere Lane. Associated highways works, landscaping, tree works and car parking. Cross-boundary application also comprising land within the Royal Borough of Kingston upon Thames and providing in total 89 residential units including 82 new build units and 7 apartments in the converted and extended Latchmere House.
<u>Development Management</u> Status: REF Date:05/01/2015	Application:14/0451/FUL Demolition of existing buildings, excluding Latchmere House. Provision of 42 residential units (Use Class C3) comprising 35 new build units and the conversion and ground floor extension of Latchmere House to provide 7 apartments. Associated highways works, landscaping, tree works and car parking. Cross-boundary application also comprising land within the Royal Borough of Kingston upon Thames and providing in total 73 residential units including 66 new build units and 7 apartments within the converted and extended Latchmere House.
<u>Development Management</u> Status: WNA Date:12/06/2015	Application:14/0935/CON Erection of 31 dwellings 2/3 storeys high with access from Church Lane,

Ham as part of the creation of 73 dwellings through the conversion and extension of Latchmere House to create 7 flats and the demolition of existing buildings and erection of 66 new 2/3 storey houses in conjunction with application 14/0451/FUL in the London Borough of Richmond.

Development Management

Status: WNA
Date:12/06/2015

Application:14/0936/CON
Erection of 31 dwellings 2/3 storeys high with access from Church Lane and Latchmere Lane, Ham as part of the creation of 89 dwellings through the conversion and extension of Latchmere House to create 7 flats and the demolition of existing buildings and erection of 82 new dwellings in conjunction with application 14/0450/FUL in the London Borough of Richmond.

Development Management

Status: GTD
Date:05/02/2016

Application:14/0451/DD01
Details pursuant to condition 3 (ancillary site buildings/parking of vehicles), 6 (investgation/protection of bats) and 7 (protection of trees) of planning permission 14/0451/FUL allowed on appeal, and its associated Demolition and Construction Management Plan.

Development Management

Status: VOID
Date:14/10/2015

Application:15/4108/VOID
Erection of 31 dwellings 2/3 storeys high with access from Church Road, Ham. (In connection with the wider development of a total of 73 dwellings through the conversion and extension of Latchmere House to create 7 flats and the demolition of existing buildings and erection of 66 new dwellings in conjunction with application 14/0451/FUL in the London Borough of Richmond).

Development Management

Status: GTD
Date:20/05/2016

Application:16/0523/VRC
Variation of condition 2 (approved drawings) of planning permission 14/0451/FUL (Demolition of existing buildings, excluding Latchmere House. Provision of 42 residential units (Use Class C3) comprising 35 new build units and the conversion and ground floor extension of Latchmere House to provide 7 apartments. Associated highways works, landscaping, tree works and car parking. Cross-boundary application also comprising land within the Royal Borough of Kingston upon Thames and providing in total 73 residential units including 66 new build units and 7 apartments within the converted and extended Latchmere House), to allow changes to design of individual houses and improvements to the landscape.

Development Management

Status: GTD
Date:24/05/2016

Application:16/1023/FUL
Construction of a temporary sales and marketing suite (sui generis) with associated landscaping and car parking, for a temporary period of three years.

Development Management

Status: GTD
Date:20/03/2018

Application:17/2779/DD01
Details pursuant to condition U30492 (NS04 Formally Condition 4) of planning permission 17/2779/VRC as amended by condition U32789 (NS04 Formally Condition 4) of planning permission 17/0687/NMA (revised description) [part discharge parts (a) and (g)].

Development Management

Status: GTD
Date:16/08/2016

Application:16/0523/DD02
Details pursuant to condition NS05 (cycle parking) of planning permission 16/0523/VRC.

Development Management

Status: GTD
Date:05/12/2016

Application:16/0523/DD01
Details puraunt to condition U05664 - NS08 (childrens play) of planning permission 16/0523/VRC.

Development Management

Status: GTD
Date:16/08/2016

Application:16/0523/DD03
Details pursuant to PART of condition NS10 (sustainability) of planning permission 16/0523/VRC. (Part A discharged; Part B only discharged for new build).

Development Management

Status: GTD
Date:29/09/2016

Application:16/0523/DD05
Details pursuant to condition U05668 - NS12 - Formally condition 12 of

planning permission 16/0523/VRC.

<u>Development Management</u> Status: WDN Date:13/09/2018	Application:16/3522/FUL Planning consent to advertise on hoarding
<u>Development Management</u> Status: GTD Date:08/11/2016	Application:16/3523/ADV Please refer to the Hoarding presentation
<u>Development Management</u> Status: GTD Date:19/07/2017	Application:16/0523/DD06 Details pursuant to formally condition NS13 (Soft Landscaping) of planning permission 16/0523/VRC.
<u>Development Management</u> Status: GTD Date:19/07/2017	Application:16/0523/DD07 Details pursuant to condition NS14 (details of Landscape Management Plan) of planning permission 14/0451/FUL.
<u>Development Management</u> Status: WON Date:21/08/2018	Application:17/0241/ADV Erection of 6 flag posts.
<u>Development Management</u> Status: REF Date:18/04/2017	Application:17/0429/ADV Erection of a "V" board, on the junction of Church Road and Latchmere Close.
<u>Development Management</u> Status: GTD Date:27/10/2017	Application:17/0687/NMA Removal of condition U05665 - NS09 (Formally condition 9 - Lifetime Homes Standards) of Planning Permission 16/0523/VRC. [Application for a Non-Material Amendment to planning permission 17/2779/VRC regarding the amendment of condition U30492 - NS04 relating to the wording all hard surfaces shall be made of porous materials]
<u>Development Management</u> Status: GTD Date:24/08/2017	Application:16/0523/DD08 Details pursuant to condition U05675 NS20 (wheelchair accommodation) of planning permission 16/0523/VRC.
<u>Development Management</u> Status: GTD Date:20/09/2017	Application:17/2779/VRC Removal of condition U05665 - NS09 (Formally condition 9 - Lifetime Homes Standards) of Planning Permission 16/0523/VRC.
<u>Development Management</u> Status: GTD Date:09/03/2018	Application:17/2779/NMA Non Material Amendment to Planning Permission 17/2779/VRC (Removal of condition U05665 - NS09 (Formally condition 9 - Lifetime Homes Standards) of Planning Permission 16/0523/VRC) Amendments to include internal amendments to revise housing mix in Latchmere House and changes to the south west elevation.
<u>Development Management</u> Status: GTD Date:19/02/2019	Application:17/2779/DD02 Details pursuant to parts (a) and (g) of condition U30492 (NS04 Formally Condition 4) of planning permission 17/2779/VRC as amended by condition U32789 (NS04 Formally Condition 4) of planning permission 17/0687/NMA
<u>Development Management</u> Status: PDE Date:	Application:17/2779/NMA2 Non-material amendment to planning permission 17/2779/VRC (Removal of condition U05665 - NS09 (Formally condition 9 - Lifetime Homes Standards) of Planning Permission 16/0523/VRC) to allow alterations to end of terrace house including: - Internal alterations to reflect the change in footprint - Change to the entrance of the house from a front entrance to a side entrance with associated entrance porch and pedestrian access - Removal of front door and replaced with window
<u>Development Management</u> Status: PCO Date:	Application:17/2779/DD03 Details pursuant to condition NS07 - protection of trees
<u>Development Management</u> Status: PCO Date:	Application:17/2779/NMA1 Non-material amendment to planning permission 17/2779/VRC to allow

amendments to Latchmere House, including installation of rooflights, revised fenestration detailing to all elevations and removal of first-floor window in western elevation.

Development Management

Status: PCO

Date:

Application:17/2779/DD04

Details pursuant to parts (b) (c) and (d) of condition U30492 (NS04 Formally Condition 4) of planning permission 17/2779/VRC and NS13 - landscaping

Appeal

Validation Date: 22.10.2014

Demolition of existing buildings, excluding Latchmere House. Provision of 58 residential units (Use Class C3) comprising 51 new build units and the conversion and ground floor extension of Latchmere House to provide 7 apartments. Formation of a new highways access from Latchmere Lane. Associated highways works, landscaping, tree works and car parking. Cross-boundary application also comprising land within the Royal Borough of Kingston upon Thames and providing in total 89 residential units including 82 new build units and 7 apartments in the converted and extended Latchmere House.

Reference: 14/0159/AP/NON

Appeal

Validation Date: 06.02.2015

Demolition of existing buildings, excluding Latchmere House. Provision of 42 residential units (Use Class C3) comprising 35 new build units and the conversion and ground floor extension of Latchmere House to provide 7 apartments. Associated highways works, landscaping, tree works and car parking. Cross-boundary application also comprising land within the Royal Borough of Kingston upon Thames and providing in total 73 residential units including 66 new build units and 7 apartments within the converted and extended Latchmere House.

Reference: 15/0032/AP/REF

Appeal Allowed

Building Control

Deposit Date: 06.06.2016

Construction of 35 new build dwellings and conversion of existing building to create 7 new apartments (see case note for SNN allocations)

Reference: 16/1219/IN

Building Control

Deposit Date: 23.07.2018

New full electrical installation (new build)

Reference: 18/NIC01599/NICEIC

Enforcement

Opened Date: 25.06.2002

Enforcement Enquiry

Reference: 02/00215/EN

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

This application has representations on file

YES NO

Case Officer (Initials):

Dated:

I agree the recommendation:

Team Leader/Head of Development Management/Principal Planner

Dated:

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

Head of Development Management:

Dated:



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

DELEGATED REPORT

17/2779/NMA1

HMP Latchmere House, Church Road, Ham, Richmond TW10 5HH

Site description:

The application site comprises a 3.6 hectare L shaped site located partially within the London Borough of Richmond and partially within the Royal Borough of Kingston upon Thames. The northern portion of the site forms part of the Ham Common Conservation Area including the three storey Latchmere House, an extensive former 19th century residential property which has been designated a BTM. The remainder of the site is predominately characterised by a number of low rise buildings interspersed by a hard court recreation area and surrounding by green amenity spaces. The site is a designated archaeological priority area and there are also a number of trees covered by TPOs.

The surrounding area is predominately residential comprising of 1930s post war 2-storey semi-detached and terraced family houses. Approximately 100m to the south of the site is the designated local shopping centre, Tudor Drive.

The existing vehicular access is at the north-west corner of the site is via Church Road. The existing access would have accommodated large service vehicles and staff car trips associated with the former prison use. Directly adjoining the northern boundary of the site is the wooded area of Ham Common, an area designated as MOL, Public Open Space and an Other Site of Nature Importance.

Relevant planning history:

The principle of the works was set under application 14/0451/FUL which was allowed on appeal on 03.07.2015. The inspector allowed '*Demolition of existing buildings, excluding Latchmere House. Provision of 42 residential units (Use Class C3) comprising 35 new build units and the conversion and ground floor extension of Latchmere House to provide 7 apartments. Associated highways works, landscaping, tree works and car parking. Cross-boundary application also comprising land within the Royal Borough of Kingston upon Thames and providing in total 73 residential units including 66 new build units and 7 apartments within the converted and extended Latchmere House*'.

Application 16/0523/VRC sought to vary condition 2 (approved drawings) of planning permission 14/0451/FUL. The planning committee resolved to approve the application on 23.3.2016 and the application was granted on 18.04.2016.

Application 17/0687/NMA was for a non-material amendment to planning permission 17/2779/VRC regarding the amendment of condition U30492 - NS04 relating to the wording all hard surfaces shall be made of porous materials was granted on 27.10.2017.

Application 17/2779/VRC sought to remove condition U05665 - NS09 (Formally condition 9 - Lifetime Homes Standards) of Planning Permission 16/0523/VRC. The application was approved under delegated authority on 20.09.2017. As this is the most recently approved permission, this is considered the most relevant in the assessment of this application for non-material amendment.

Proposal:

This application seeks permission for a Non-material amendment to planning permission 17/2779/VRC (Removal of condition U05665 - NS09 (Formally condition 9

- Lifetime Homes Standards) of Planning Permission 16/0523/VRC) to allow alterations to end of terrace house including:
- Internal alterations to reflect the change in footprint
- Change to the entrance of the house from a front entrance to a side entrance with associated entrance porch and pedestrian access
- Removal of front door and replaced with window

The drawings proposed to be superseded are:
House type B4, Approved Plot 60 (now 63) approved under 16/0523/VRC.

New proposed drawings are:
4721_4_180_C9_House Type B4a Substructure and Ground Floor Plans
4721_4_181 (Rev C6) Proposed First and Second Floor Plot 63
4721_4_191_C4_House Type B4a Elevations
4721_4_040 (Rev C11) Siteplan

Public Representations:

No public representations have been received. No requests made for the application to be heard by the Planning Committee.

Further Information:

On 14th December 2017 the applicant provided the following further information:

- Email from Anna Stott to Sarah Mako
- Residential standards report
- Proposed ground floor plan drawing no. BKH04-P-231 Rev 01

On 9th February 2018 the applicant provided the following further information in response to queries about viability:

- Viability Statement, dated 5th February 2018 prepared by Berkeleys
- Appendix A to Viability Statement prepared by Berkeleys.

Professional Comments:

Further to the approval of application ref. 17/2779/VRC, the applicant wishes to apply for the Council's determination as to whether the detailed alterations are considered to be non-material.

The applicant has advised that *'The intention of the revised design is to optimise the use of the large reception rooms on the Ground Floor. The original application was for seven flats; three on the Ground Floor, two on the First Floor and two on the Second Floor. The revised design proposes to keep the two Second Floor flats but use the Ground and First Floor to provide 4 duplex apartments and one Ground Floor Apartment'*.

The following amendments are proposed:

- The ground floor entrance is relocated from the front to the side of the house.
- The window configuration on the street elevation has been amended to correlate with the relocation of the entrance door. A small bay window and an additional small window is proposed.
- The proposed foot print of the dwelling is altered slightly to provide an end stop to the end-of terrace.

The guidance on 'Greater Flexibility for Planning Permissions Guidance' states there is no statutory definition of 'non-material'. This is because it is dependent on the context of the overall scheme – what may be non-material in one context may be material in another. Each non-material amendment request is considered on its merits.

The Local Planning Authority (LPA) must be satisfied that the amendment being sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.

The LPA, in deciding whether a change is material, must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted. The LPA has the ability to impose new conditions and remove or alter existing conditions.

Condition U30490 – NS02 (Formally condition 2) on permission 17/2779/VRC states: *'The development hereby permitted shall be carried out other than in accordance with the following approved plans:*

- o House Type F1 BKH04-P-208 01
 - o House Type E2 BKH04-P-207 02
 - o House Type E1 BKH04-P-206 02
 - o House Type D1 BKH04-P-205 02
 - o House Type B4 BKH04-P-201 01 (Referenced as BKH04-P-203 01 in drawing schedule)
 - o House Type B3 BKH04-P-201 01 (Referenced as BKH04-P-202 01 in drawing schedule)
 - o Roof Plan Sheet 1 BKH04-P-117 01
 - o Second floor sheet 1 BKH04-P-115 01
 - o First floor sheet 1 BKH04-P-113 01
 - o Ground floor sheet 1 BKH04-P-111 01
 - o Elevations BKH04-P-104 02
 - o Site sections - sheet 2 BKH04-P-103 02
 - o Site sections - sheet 1 BKH04-P-102 02
 - o Site Plan BKH04-P-101 03
 - o Letter from Berkeley dated 11 February 2016
 - o Letter from Indigo dated 12 November 2015
 - o Bin Store BKH04-P-237 01
 - o Refuse Strategy Plan BKH04-P-301 02
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- o Indigo document - Amendments to dwellings and landscape 'Minor Material Amendment' February 2016.
 - o Masterplan - Richmond 07.3a
 - o Deed of Modification under Section 106A of the Town and Country Planning Act 1990 dated 18 April 2016
 - o Letter from Helle Dorrington (Berkeley Homes) dated and received 20 July 2017.

And those which have not been superseded by the above, as outlined in:

- o Drawing Transmittal Sheet BKH04, Issue No 003, dated 10 January 2014; supplemented by the Schedule of Amended drawings dated 31 December 2014 submitted with the appeal (CDs 8.1 and 8.3); and Section 106 Legal Agreement dated 13 May 2015. (Associated to application 14/0451/FUL)
REASON: To ensure a satisfactory form of development'.

Design and character

The proposed alterations to the ground floor entrance involve relocating the front door to the side of the end-terrace house, replacing the approved door opening with a window of a style to match the rest of the house. The additional footprint gained is approximately 6.17sqm. In context with the wider scheme, which would provide 42

residential units including a mix of 2, 3, 4 and 5 bed units, there would be no objection to the minor increase in footprint on this plot.

Whilst it is acknowledged that there is a minor increase in floorspace, the application proposed would in theory alter improve the sales value and therefore the viability of the development.

However, given that the overall area of accommodation is only increased by 6sqm, it is reasonable to assume that overall the proposed changes are unlikely to result in a significantly increased surplus that could generate a further affordable housing contribution. Council officers are satisfied that in terms of the overall viability, the changes to the proposed mix and layout of units do not need to be assessed further to scope whether any additional affordable housing contribution can be made. There is no change to the on-site affordable housing allowed under the original permission or the contribution of £50,000 secured by legal agreement under permission 16/0523/VRC above the existing heads of terms.

Conclusion

The proposal would constitute a non-material amendment for the following reasons;

- The proposal alterations would not be significant in terms of the overall scale in relation to the original approval and housing provision;
- The proposed alterations would not appear noticeably different to what interested parties may have envisaged and would not result in an impact on the amenity of existing occupiers of adjoining properties or future occupiers of properties within the development;
- The interests of no third party or body who participated in or were informed of the original decision would not be disadvantaged in any way. During notification of the original permission, few public representations made reference to the reuse of Latchmere House. English Heritage had raised no objection to the alterations to Latchmere House on the original permission;
- The amendment would be generally consistent with the Council's planning policy including the Planning Brief for the site.

Recommendation: The proposed amendments are considered to be non-material and the application should be approved.