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Development Management
London Borough of Richmond upon Thames
Civic Centre
44 York Street
Twickenham
TW1 3BZ

Date: 19 November 2020

Dear Sir / Madam

Town and Country Planning Act 1990 (As Amended)

Change of use from *sui generis* (Metropolitan Police Safer Neighbourhoods Unit) to Class E (Commercial, Business and Service)

14 Ashburnham Road, Ham, TW10 7NF

This letter accompanies the planning application for a proposed change of use from *sui generis* (Metropolitan Police Safer Neighbourhoods Unit) to Class E (Commercial, Business and Service) (the 'proposed development') at 14 Ashburnham Road, Ham, TW10 7NF (the 'site').

The submitted application documents are as follows:

- Application Form and Certificate A;
- This Covering Letter;
- CIL Form;
- Site Location Plan
- Floor Plan
- Planning Application Fee of £462

Planning Application Proposals

The planning application seeks a proposed change of use from the existing *sui generis* use (Metropolitan Police Safer Neighbourhoods Unit) to a commercial, business and service use (Use Class E)

There are no internal or external alterations proposed at this stage. Any such applications to amendments to the property (if required) can be submitted by any subsequent occupier.

The property is approximately 66m² in size.

Site Location and Description

The property is located on the northern side of Ashburnham Road and contains a three-storey terrace building that comprises a vacant unit at ground floor level which was previously occupied by the Metropolitan Police as a Safer Neighbourhoods Unit.

The remaining properties within the terrace row are also in a variety of commercial uses including retail, café and hot food takeaway uses.

The upper floors contain residential uses.

The commercial parade continues along Ham Street, again with two storeys of residential above.



Property in street scene

Planning History

Planning permission was granted in March 2006 for 'change of use from A1 retail to (sui generis) metropolitan police safer neighbourhoods unit, installation of new shopfront and two air conditioning units at rear' (Ref: 05/1926/COU).

Development Plan Context and Relevant Designations

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. This represents the starting point for assessing the development prospects for a particular site or property.

The Development Plan context in Ham is provided by the London Plan (2016) and the Richmond Local Plan (2018).

The Proposals Map confirms that the property is located within a Key Shopping Frontage within the Ham Street / Back Lane Parade of Local Importance.

Furthermore, the Environment Agency Flood Map confirms that the site is within Flood Zone 1 and is therefore at the lowest risk of flooding from rivers or the sea. In addition, there is no risk of flooding from surface water.

The approach adopted in this letter is based on the following stages:

1. the provisions of the Development Plan are firstly identified so far as material to the proposed development;
2. an assessment is made as to whether the proposed development conflicts with the Development Plan provisions; and
3. if conflict is identified material considerations are assessed to determine whether they should apply and counteract the conflict with the plan.

In this respect the relevant Development Plan policies are discussed below along with any material considerations.

Summary of Relevant Planning Considerations

The key planning issues are considered below against the test of reasonableness in planning term, planning policy compliance and any other material considerations where relevant.

Principle of land use

The National Planning Policy Framework (NPPF) emphasises that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged.

The NPPF confirms that at its heart is a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay.

In addition, the NPPF confirms that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

The NPPF also seeks to meet anticipated needs for retail, leisure, office and other main town centre uses.

The London Plan Policy 4.7 confirms that in taking planning decisions on proposed retail and town centre development, the scale of retail, commercial, culture and leisure development should be related to the size, role and function of a town centre and its catchment.

In addition, retail, commercial, culture and leisure development should be focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres that are, or can be, well integrated with the existing centre and public transport.

Local Plan Policy LP 25 confirms that the site is within the Ham Street / Back Lane Parade of Local Importance.

In this respect, the Policy confirms that within the local and neighbourhood centres as well as parades of local importance, the following applies:

1. Appropriate uses could include new retail (including markets), business or employment developments, which maintain suitable provision for small businesses, and other uses, which primarily serve the needs of the local community or attract visitors and develop cultural opportunities.
2. Development should, wherever possible, include overall improvements and enhancements of the small centres where appropriate, and/or modernise outdated premises.

Class E, as introduced by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 contains that the following uses:

- Shops
- Financial and Professional Services
- Restaurants and cafes
- Offices
- Clinics, health centres, creches, day nurseries, day centre
- Gymnasiums and indoor recreation

In this respect, the principle of a change of use to Class E would be entirely in accordance with the above policy and would provide a use which would primarily serve the needs of the local community.

Therefore, there should be no objections to the principle of development.

Design and impact on the character of the area

The proposed development does not involve any external alterations to the property and therefore there are no design implications.

Any external amendments will be subject to a separate application if necessary and dependent on the needs of any subsequent occupier.

Impact on neighbouring amenity

The London Plan Policy 7.6 states that development must not cause unacceptable harm to the amenity of surrounding land and buildings.

Policy LP 8 Amenity and Living Conditions All development will be required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties.

The change to a commercial use within a retail parade is unlikely to result in any amenity impacts.

Transport

The proposed change of use is unlikely to result in any transport impacts.

Summary and Conclusion

An assessment of the relevant planning policies in the adopted Development Plans confirms that there is no significant conflict with their provisions and that the statutory test imposed by Section 70(2) of the Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004 is met.



The National Planning Policy Framework is a material consideration in the assessment of the development proposal. An assessment of the Framework confirms that the proposed development is consistent with national planning policies and provides further support for the application.

In conclusion, this assessment confirms that the development proposal accords with the provisions of the Development Plan and as a consequence a presumption in favour of a grant of planning permission is derived.

Yours sincerely

A handwritten signature in blue ink that reads 'Jeremy Butterworth'.

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Enc.