

Application reference: 20/3300/FUL HAM, PETERSHAM, RICHMOND RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
20.11.2020	23.11.2020	18.01.2021	18.01.2021

Site:

Police Station, 14 Ashburnham Road, Ham, Richmond

Proposal:

CHANGE OF USE FROM SUI-GENERIS TO CLASS E

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

APPLICANT NAME

Edward, Jeffrey & David AZOUZ
c/o Willmotts Commercial Agency
Willmott House
12 Blacks Road
London
W69EU

AGENT NAME

Lewis Barker
20 Church Street
Twickenham
TW1 3NJ
United Kingdom

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

Consultations:

Internal/External:

Consultee

LBRuT Non-Commercial Environmental Health Noise Issues
LBRUT Transport
LBRuT Waste Services

Expiry Date

09.12.2020
09.12.2020
09.12.2020

Neighbours:

17 Back Lane, Ham, Richmond, TW10 7LA, - 25.11.2020
19 Back Lane, Ham, Richmond, TW10 7LA, - 25.11.2020
Ham Library, Ham Street, Ham, Richmond, TW10 7HR, - 25.11.2020
10 Ashburnham Road, Ham, Richmond, TW10 7NF, - 25.11.2020
16 Ashburnham Road, Ham, Richmond, TW10 7NF, - 25.11.2020
12 Ashburnham Road, Ham, Richmond, TW10 7NF, - 25.11.2020
32 Ashburnham Road, Ham, Richmond, TW10 7NF, - 25.11.2020
30 Ashburnham Road, Ham, Richmond, TW10 7NF, - 25.11.2020
28 Ashburnham Road, Ham, Richmond, TW10 7NF, - 25.11.2020
26 Ashburnham Road, Ham, Richmond, TW10 7NF, - 25.11.2020

History: Planning – Appeal – Enforcement – Building Control

Development Management

Status: REF Application:02/1119
Date:12/06/2002 Proposed Change Of Use A1 To A3 (restaurant) And New External Air Duct.

Development Management

Status: REF Application:97/0013
Date:03/03/1997 Change Of Use Of Ground Floor To Office For Operating Mini-cab Business

Development Management

Status: REF Application:97/2448
Date:23/12/1997 Change Of Use Of Ground Floor To Mini Cab Office

Development Management

Status: GTD Application:05/1926/COU

Date:13/03/2006 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 .

Development Management

Status: GTD Application:07/0014/ADV
Date:05/03/2007 Insertion of illuminated signage to front of Metropolitan Police Safer Neighbourhood Unit.

Development Management

Status: PDE Application:20/3300/FUL
Date: CHANGE OF USE FROM SUI-GENERIS TO CLASS E

Appeal

Validation Date: 17.06.1997 Development Appeal
Reference: 97/0013

Enforcement

Opened Date: 11.06.1997 Enforcement Enquiry
Reference: 97/00172/EN

Enforcement

Opened Date: 04.06.1998 Enforcement Enquiry
Reference: 98/00180/EN

Enforcement

Opened Date: 16.07.2018 Enforcement Enquiry
Reference: 90/00098/EN

Application reference: 20/3300/FUL

Address: Police Station, 14 Ashburnham Road, Ham Richmond TW10 7NF

Proposal	Change of use of from Sui-Generis to Class E
Site description / key designations	The subject site is designated as a Key Shopping Frontage and is within the Ham and Petersham Neighbourhood Area. The site is not subject to any heritage designations.
Planning history	<ul style="list-style-type: none">• 05/1926/COU - 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. Refused• 02/1119 - Proposed Change Of Use A1 To A3 (restaurant) And New External Air Duct - refused• 97/2448 - Change Of Use Of Ground Floor To Mini Cab Office – refused• 97/0013 - Change Of Use Of Ground Floor To Office For Operating Mini-cab Business – refused
Policies	<p>The proposal has been considered having regard to the aims and objectives of the NPPF and Local Plan, in particular:</p> <p>Local Plan:</p> <ul style="list-style-type: none">• LP 1 Local character and design Quality• LP 8 Amenity and Living Conditions• LP 26 Retail Frontages• LP 28 Social and Community Infrastructure• LP 45 Parking Standards and Servicing <p>Supplementary Planning Documents / Guidance:</p> <ul style="list-style-type: none">• Ham and Petersham Neighbourhood Plan
Material representations	<p>The application has been publicised in accordance with the Local Planning Authority's requirements as set out in the Town and Country Planning (Development Management Procedure) (England) Order.</p> <p>No representations have been received.</p>
Amendments	None
Professional comments	<p>The application site has been visited and the proposal assessed in relation to the following issues:</p> <ul style="list-style-type: none">• Change of Use• Design/Visual Amenity/Impact on character• Neighbour Amenity• Highways/Transport/Parking <p>Change of Use:</p> <p>The property is located within a key shopping frontage, however the unit was last used as community infrastructure (Police Office) since approval in 2006. As the scheme proposes to change the use of the unit from community infrastructure to class E use, the application is subject to the provisions of Local Plan policy LP28 'Social and Community Infrastructure'.</p> <p>LP28C states that</p> <p><i>“ Loss of social or community infrastructure will be resisted. Proposals involving the loss of such infrastructure will need to demonstrate clearly:</i></p> <ol style="list-style-type: none"><i>1. that there is no longer an identified community need for the facilities or they no longer meet the needs of users and cannot be adapted; or</i><i>2. that the existing facilities are being adequately re-provided in a different way or elsewhere in a convenient alternative location accessible to the current community it supports, or that there are sufficient suitable alternative facilities in the locality; and</i><i>3. the potential of re-using or redeveloping the existing site for the same or an alternative social infrastructure use for which there is a local need has been fully</i>

assessed. This should include evidence of completion of a full and proper marketing exercise of the site for a period of at least two consecutive years in line with the requirements set out in Appendix 5.”

The planning statement submitted with the application is noted, however there is no reference to Local Plan Policy LP28, nor is there any justification for the loss of the community infrastructure, nor marketing evidence which suggests that an alternative community facility can be implemented on the site. In the absence of such detail, the scheme is contrary to Local Plan Policy LP28 and the loss of floor space for social and community infrastructure cannot be supported.

Highways / Transport / Parking / Servicing

The application has been submitted quite broadly for ‘Class E’. There is no supporting information submitted with this application which demonstrates that each use within class E would not have adverse impact on local parking and the flow of traffic in the locality. It is conceded that potential uses such as retail, office or restaurant/takeaway would be unlikely to result in unreasonable impact, however, nurseries and gyms are also included within the use class and it is considered that these uses have reasonable potential to cause impact to parking and the flow of traffic. It is also noted that an application for a nursery would also be required to be submitted with a travel plan. For this reason, in the absence of any supporting information the proposed change of use would be the proposal would be prejudicial to the preservation of highway and pedestrian safety in the area as well as on street parking. The scheme is thereby contrary to Local Plan Policy LP45 and could not be supported.

Neighbour Amenity

Policy LP 8 seeks to protect adjoining properties from unreasonable loss of privacy....pollution, noise and disturbance requiring developments to protect the amenity and living conditions for occupants of new, existing , adjoining and neighbouring gardens or rooms.

The applicants planning statement states that ‘*The change to a commercial use within a retail parade is unlikely to result in any amenity impacts*’. There is no further supporting information. As outlined above, Class E encompasses a variety of uses, of which some may not be appropriate below residential units without correct noise attenuation e.g. indoor sport such as a gym. In the absence of any supporting information council is unable to determine if the proposals would not lead to an unacceptable loss of amenity and therefore the scheme is considered contrary to Local Plan Policy LP8.

Design

Policy LP1 states the high-quality character of and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise.

No design changes are proposed under this application.

Summary

The proposed change of use by reason of its loss of community infrastructure without suitable justification is considered to be harmful to the health and welfare of the community. The scheme is thereby contrary to Local Plan Policy LP 28.

The proposed change of use by reason of its insufficient information submitted to assess the potential amenity impacts, in particular to do with noise is considered to prejudice the amenity of the residential flats above and is thereby contrary to Local Plan Policy LP 8.

The proposed change of use by reason of its insufficient information submitted to determine the potential impact on the flow of traffic and parking would be prejudicial to the preservation of highway and pedestrian safety in the area as well as on street parking and is thereby contrary to Local Plan Policy LP 45.

Recommendation	Refuse
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Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES

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): ...DAV..... Dated:07/01/21.....

I agree the recommendation:

~~Team Leader/~~Head of Development Management/Principal Planner

Dated:WWC.....7/1/2021

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:

The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES

U0048094 Decision drawing numbers ~~
U0048095 NPPF REFUSAL- Para. 38-42