

## Application reference: 21/1788/GPD15 SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
14.05.2021	14.05.2021	09.07.2021	09.07.2021

**Site:**

37 Sheen Road, Richmond, TW9 1AJ,

**Proposal:**

Change of use from office space to 6 residential units.

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

**APPLICANT NAME**

Mr Tony Cook, Mervellion Ltd  
25 Taylor Avenue  
Richmond  
TW9 4EB

**AGENT NAME**

Akos Doboczi  
255 London Road  
Hadlwich  
Essex  
SS7 2BN

**DC Site Notice:** printed on 19.05.2021 and posted on 28.05.2021 and due to expire on 18.06.2021

**Consultations:****Internal/External:****Consultee**

LBRUT Transport  
LBRUT Environmental Health Contaminated Land  
LBRUT Non-Commercial Environmental Health

**Expiry Date**

02.06.2021  
02.06.2021  
02.06.2021

**Neighbours:**

Richmond Telephone Exchange, Paradise Road, Richmond, TW9 1LW, - 19.05.2021  
36 Sheen Road, Richmond, TW9 1AW, - 19.05.2021  
Second Floor Flat, 34 Sheen Road, Richmond, TW9 1AW, - 19.05.2021  
Garden Flat, 34 Sheen Road, Richmond, TW9 1AW, - 19.05.2021  
Chalon House, 8 Spring Terrace, Paradise Road, Richmond, TW9 1LW, - 19.05.2021  
34 Sheen Road, Richmond, TW9 1AW, - 19.05.2021  
First Floor Flat, 34 Sheen Road, Richmond, TW9 1AW, - 19.05.2021  
39 Sheen Road, Richmond, TW9 1AJ, - 19.05.2021  
45 Sheen Road, Richmond, TW9 1AJ -  
41 Sheen Road, Richmond, TW9 1AJ -  
Flat B, 51 Sheen Road, Richmond, TW9 1YH -  
40 Sheen Road, Richmond, TW9 1AW -

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

Status: GTD Application: 89/2176/FUL  
Date: 24/11/1989 Erection Of Single Storey Store Room, and New Spiral Staircase

Development Management

Status: REF Application: 90/1398/FUL  
Date: 13/12/1990 Single Storey Extension To Provide Reception Area, Additional Studio Space & Wc Facilities.

Development Management

Status: GTD Application: 79/1168

Date:05/12/1979	Use of building at rear for office purposes.
<u>Development Management</u> Status: REF Date:16/05/1983	Application:82/1454 Demolition of existing building, retaining and altering front facade and the erection of a part 1, part 2 storey building to provide offices.
<u>Development Management</u> Status: GTD Date:14/07/1987	Application:84/0645/DD02 Demolition of buildings at rear and on west boundary of site, the erection of an extension at the rear together with alterations and restoration of existing buildings at the front to provide offices (Detailed drawings condition (b) - hardsurfacing materials).
<u>Development Management</u> Status: GTD Date:15/11/1984	Application:84/0645/DD01 Demolition of buildings at rear on West boundary of site, the erection of an extension at the rear together with alterations and restoration of existing buildings at the front to provide offices. (Detailed Drawings application - Condition 3 - Material for roof tile).
<u>Development Management</u> Status: GTD Date:28/09/1984	Application:84/0645 Demolition of buildings at rear and on west boundary of site, the erection of an extension at the rear together with alterations and restoration of existing buildings at the front to provide offices. (Revised plans 626/1D and 2a received 31.8.84).
<u>Development Management</u> Status: GTD Date:28/09/1984	Application:84/0646 Partial demolition of buildings at rear of site and small lean to along West boundary. (Revised plan 626 1D received 31.8.84).
<u>Development Management</u> Status: GTD Date:28/09/1984	Application:84/0683 Demolition of all existing buildings with the exception of boundary walls. (Revised plan 626 1D received 31.8.84).
<u>Development Management</u> Status: GTD Date:07/05/1965	Application:65/0055 Small extension to form additional store.
<u>Development Management</u> Status: GTD Date:04/07/1968	Application:68/1058 Use of part of ground floor and part of first floor as a sound recording studio.
<u>Development Management</u> Status: GTD Date:10/08/2004	Application:04/1704/COU Change of use from commercial to mixed use - part commercial/part domestic.
<u>Development Management</u> Status: WNA Date:22/10/2004	Application:04/2811/COU Change of use from offices to mixed commercial use - natural medicine clinic, yoga studio, cafe, supplement and specialist diet food shop, creche and lecture/events room.
<u>Development Management</u> Status: GTD Date:17/01/2006	Application:05/3437/ADV Erection of one projecting externally illuminated sign.
<u>Development Management</u> Status: REF Date:25/01/2012	Application:11/3739/FUL Change of use from office (B1) to nursery (D1) for up to 85 children and associated minor external alterations.
<u>Development Management</u> Status: GTD Date:10/06/2013	Application:13/1221/ADV 1no. set of flat cut 3mm thick brushed stainless steel individual letters and logo, with locators to the rears to raise off surface 20mm when fitted. Letter height = 134mm logo height 500mm. All non-illuminated.
<u>Development Management</u> Status: PDE Date:	Application:21/1788/GPD15 Change of use from office space to 6 residential units.

Appeal

Validation Date: 09.02.2012      Change of use from office (B1) to nursery (D1) for up to 85 children and associated minor external alterations.

Reference: 12/0029/AP/REF

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Building Control

Deposit Date: 19.12.2012      Internal alterations and refurbishment to an existing to an 1st floor office

Reference: 12/2299/IN

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Enforcement

Opened Date: 04.12.2002      Enforcement Enquiry

Reference: 02/00420/EN

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Enforcement

Opened Date: 13.07.2006      Enforcement Enquiry

Reference: 06/0326/EN/ADV

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<b>Application Number</b>	<b>21/1788/GPD15</b>
<b>Address</b>	<b>37 Sheen Road, Richmond, TW9 1AJ</b>
<b>Proposal</b>	<b>Change of use from office space to 6 residential units.</b>
<b>Contact Officer</b>	<b>Kerry McLaughlin</b>
<b>Target Determination Date</b>	<b>09.07.2021</b>

## 1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

By indicating that the development proposal complies with the relevant provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) the planning officer is taking into account the information submitted with the application, material planning considerations raised within any representations received relevant to the Class O assessment and any previous relevant applications.

No information has been discovered revealing removal of permitted development rights, it is therefore understood that the property's permitted development rights are intact and there are no restrictive conditions or outstanding Enforcement notices covering the property

## 2. DESCRIPTION OF THE SITE

The proposal property is a two-storey commercial building, located on the southern side of Sheen Road.

The application site is subject to the following planning constraints:

Archaeological Priority (English Heritage)	Site: Richmond - Early Medeval settlement of the Manor of Sceanes (Shene). Renamed Richmond through the construction o
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Building of Townscape Merit	Site: 37 Sheen Road Richmond Surrey TW9 1AJ
Conservation Area	CA31 Sheen Road Richmond
Critical Drainage Area - Environment Agency	Richmond Town Centre and Mortlake [Richmond] / Ref: Group8_004 /
Land Use Past Industrial	Works. Toolmakers Start: 1971 End: 1971
Surface Water Flooding (Area Less Susceptible to) - Environment Agency	
Throughflow Catchment Area (Throughflow and Groundwater Policy Zone)	Adopted: October 2020 , Contact: Local Plan Team
Village	Richmond and Richmond Hill Village

Village Character Area	Sheen Road - Area 16 & Conservation Area 31 Richmond & Richmond Hill Village Planning Guidance Page 60 CHARAREA06/16/01
Ward	South Richmond Ward

### 3. RELEVANT PLANNING HISTORY

The comprehensive list of planning history can be found above.

There is no relevant planning history associated with the site.

### 4. CONSULTATIONS CARRIED OUT

Adjoining neighbours have been consulted on the application, and 6 objections, from 4 neighbouring properties have been received. These comments are summarised as follows:

Public Comment	Officer Response
No statement supporting the application has been submitted	This is not a validation requirement under this procedure.
Neighbours have not been adequately notified	Case officer has checked which neighbours have been consulted and is satisfied the council have consulted as required under national legislation. Furthermore, the council have also erected a site notice and advert in addition to the neighbour notification letters, this exceeds national requirements.
6 units on this site is over-development	Providing the scheme complies with the requirements as outlined in the GPDO criteria below the number of units provided cannot be restricted.
Parking issues	See transport section below.
Fire safety concerns	This issue does not fall within the scope of Class O of the GPDO.
The proposal does not comply with the Local Plan	This application is for permitted development and the scope of consideration is restricted.
Affordable Housing	Affordable housing is not required under permitted development schemes.
Loss of office space should not be permitted	This issue does not fall within the scope of Class O of the GPDO.
The building suffers from restricted access, imposing on the tight pedestrian walkway along the main Sheen Road.	Highway issues are discussed under the transport section below.
Details are limited on important aspects	Sufficient details have been submitted to enable the case officer to undertake a full and detailed assessment against the GPDO.
A development of this density is wholly inappropriate for this location	This issue does not fall within the scope of Class O of the GPDO.
Implications for highway and pedestrian safety	Highway issues are discussed under the transport section below.

### 5. ASSESSMENT AGAINST THE GPDO CRITERIA

This application is for determination as to whether prior approval for the change of use of the building and any land within its curtilage from Class B1(a) (offices) to C3 (dwellinghouses) is required and whether it is approved or refused. The determination is made in relation to the provisions of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) Order (as amended).

O.1 Development is not permitted by Class O if:		Complies	
(b)	the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order— (i) on 29th May 2013, or (ii) in	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

	the case of a building which was in use before that date but was not in use on that date, when it was last in use;		
(d)	the site is, or forms part of, a safety hazard area	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(e)	the site is, or forms part of, a military explosives storage area	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(f)	the building is a listed building or is within the curtilage of a listed building; or	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(g)	the site is, or contains, a scheduled monument.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>O.2 (1) Development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—</b>		<b>Complies</b>	
(a)	transport and highways impacts of the development	Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>
(b)	contamination risks on the site	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(c)	flooding risks on the site, and	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(d)	impacts of noise from commercial premises on the intended occupiers of the development	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(e)	the provision of adequate natural light in all habitable rooms of the dwellinghouses	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	and the provisions of paragraph W (prior approval) apply in relation to that application.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

### (a) Transport and highways impacts of the development

#### Vehicular Parking

The site is proposed as car-free. It has a public transport accessibility level of 6a and is within the Richmond Town CPZ. Occupants of the current office land use on the site are entitled to business parking permits within the zone. The Census of 2011 shows that households living in flats with two or more people in them aged 17 or over own, on average, 0.87 vehicles per dwelling in the Mid-Level Super Output Area (MSOA) of Richmond 006. Providing a development such as this as car-free could lead to overspill vehicular parking on surrounding streets of up to 6 vehicles overnight. Local Plan Policy LP45, Para. 3c states that:

- 3. Car free housing developments may be appropriate in locations with high public transport accessibility, such as areas with a PTAL of 5 or 6, subject to:**
- a. the provision of disabled parking;**
  - b. appropriate servicing arrangements; and**
  - c. demonstrating that proper controls can be put in place to ensure that the proposal will not contribute to on-street parking stress in the locality.**

Regarding disabled vehicular parking, the standards set out in Policy T6.1 of the London Plan state that developments providing 10 or more dwellings should provide off-street disabled parking. This development falls below that threshold, so no off-street disabled spaces are required.

If approved this scheme will be subject to the applicant entering into a legal agreement with the Local Planning Authority whereby all occupants of the proposed development will be precluded from obtaining vehicular parking permits within any controlled parking zone (CPZ) within the Borough of Richmond. This is because the development is proposed as car-free and the proposed restriction is needed to mitigate the impact of overspill parking on roads within 200m of the site during the night-time so that it does not lead to unsafe parking which could prevent safe use of the highway by other road users. This request is therefore in accordance with Local Plan Policy LP45, Para. 3c and Para. 108b of the National Planning Policy Framework.

#### Cycle Parking

The applicant must provide 12 cycle parking spaces in accordance with the minimum standards set out in Table 10.2 of the London Plan (2021) and London Cycle Design Standards. If approved a condition will be attached requiring the applicant to submit details of cycle parking to be approved in writing by the Local Planning Authority prior to the commencement of development.

#### Servicing and Refuse Collection

The London Borough of Richmond's Refuse and Recycling Storage and Collection supplementary planning document requires that this scheme provides 4 x 240l refuse bins, and 2 x 360l bins for mixed recycling and

paper respectively. The proposed ground floor plan shows the provision of this close to the gated arched entrance to the site and that refuse vehicles can stop on the highway to empty the bins. Fire tenders and ambulances can stop on the highway. No concerns are raised in this regard.

**Construction Management Plan**

The proposed development requires a refit of the interior of the existing site. No changes to the external buildings are proposed. Therefore, a construction management plan is not required in this instance.

**(b) Contamination Risks**

Given there are no proposed external works it is not considered there will be any excavation into previously undisturbed ground. As such, it is concluded there will be limited risk as a result of the scheme. No objection is raised to this proposal in this regard, subject to the following condition:

*If during the implementation the development hereby approved any contamination is encountered, all works shall cease until an appropriate methodology including mitigation shall been submitted to and agreed in writing by the Local Planning Authority. Thereafter mitigation works shall be carried out in accordance with the approved details.*

**(c) Flooding Risks**

The application site is located within Flood Zone 1. The application is purely for change of use and so there will be no external changes which increase the amount of impermeable surface associated with the site. In this instance as the site’s location within flood zone 1 demonstrates a low risk of flooding, no objection is raised to this proposal in this regard.

**(d) Impacts of noise from commercial premises on the intended occupiers of the development**

It is recognised that commercial and residential uses are generally seen to be compatible. Therefore, an undue increase in noise would not occur as a result of the proposal and the amenity of future occupants is not considered to be harmed from nearby commercial premises.

**(e) the provision of adequate natural light in all habitable rooms of the dwellinghouses**

The host building comprises numerous windows along the elevations, and the proposed habitable rooms would be served by these openings. It is considered this glazing will allow for adequate natural daylight to access the proposed units throughout the day.

Under W.(2A) where the application relates to prior approval as to adequate natural light, the local planning authority must refuse prior approval if adequate natural light is not provided in all the habitable rooms of the dwellinghouses. In accordance with W.(2)(bc) the applicant has provided a floor plan indicating the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses which demonstrates compliance with the requirement. The applicant has provided the necessary information to satisfy the provisions of paragraph (W).

**6. RECOMMENDATION**

**The prior approval of the Council is REQUIRED AND GRANTED for the development**

**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): KM

Dated: 06.07.2021

**I agree the recommendation:**

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management / South Area Team 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.

South Area Team Manager: .....  .....

Dated: .....07.07.2021.....