

4-6 HAM STREET, HAM, RICHMOND TW10 7HT

**Change of use from Sui Generis Public House with C3 Staff Flat
to Class E Veterinary Surgery with same C3 Staff Flat
plus external refurbishment, associated car and cycle parking,
waste and recycling storage, and hard and soft landscaping.**

PLANNING, DESIGN AND ACCESS STATEMENT WITH HERITAGE IMPACT ASSESSMENT



APRIL 2022

ALISTAIR GRILLS ASSOCIATES

4-6 HAM STREET, HAM, RICHMOND TW10 7HT

Proposed conversion of vacant public house with staff flat to veterinary surgery with same staff flat, plus 3No off-street carparking spaces, 4No secure cycle parking spaces, refuse & recycling storage, and hard & soft landscaping.

Planning, Design and Access Statement with Heritage Impact Assessment

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1.0 Introduction

- 1.1 In January 2022, Alistair Grills Associates (AGA) was appointed by Ham Street Vets – a veterinary practice being established by local vet Douglas Dick MRCVS, to assist in the preparation and submission of a full planning application for the change of use of 4-6 Ham Street, Ham near Richmond TW10 7HT – a vacant public house formerly known as The Brewery Tap, to a Class E veterinary surgery with associated car and cycle parking and hard and soft landscaping works. Ham Street Vets proposes to enter a lease arrangement with the new freehold owners of the property to operate a veterinary practice from the site with some of their staff occupying the existing flat accommodation above.
- 1.2 The vacant building is located on the east side of Ham Street in Ham, Richmond - close to St Thomas Aquinas Church and Ham Common which lie immediately to the south (see red line site in Fig 1 below). The existing property comprises a public house on the ground floor with a two-bedroom flat over. The first-floor flat will be retained in the proposal for use by veterinary staff.



Figure 1 – 4-6 Ham Street, Ham - Redline Site Plan

- 1.3 4-6 Ham Street (see Fig 2 over) is neither nationally nor locally listed, but the building and part of the curtilage are located within the Ham House Conservation Area, with the remainder of the curtilage sited within the Ham Common Conservation Area. The site is also within an Archaeological Priority Area.



Figure 2 – Ham Brewery Tap site immediately prior to sale

- 1.4 As the Marketing Appraisal accompanying the application demonstrates, the Ham Brewery Tap PH suffered from a lack of clientele in recent years with sales falling year-on-year from 2014 until the failure of the business in 2020. This is partly a result of the existence of larger, more successful pubs in the immediate area. Excluding The Royal Oak PH at the opposite end of Ham Street - which has also closed its doors, there are 3 other functioning pubs located close the Brewery Tap – the New Inn, the Hand and Flower and the Fox and Duck.
- 1.5 The freehold ownership of the property was purchased by adjoining residential owners in 2020, essentially to protect their amenity, but the new freeholders are supportive of the proposed change of use to a veterinary surgery as, whilst not strictly a local community use as it is defined in London Borough of Richmond-upon-Thames's (LBRUT's) Local Plan, they consider it would be a substantial benefit to the local community.

2.0 Existing Site Description

2.1 4-6 Ham Street is located at the southern end of Ham Street and on the eastern side of the road (see Figs 3-5 below). The application site with two storey building (the upper level being within the roof space), disused beer garden and peripheral carparking areas covers some 0.0348 ha, excluding a strip of land and garage at the northern end of the site which are to be retained for the use of the freehold owner.



Figure 3 – Birdseye view of 4-6 Ham Street to centre, with Ham Common to top

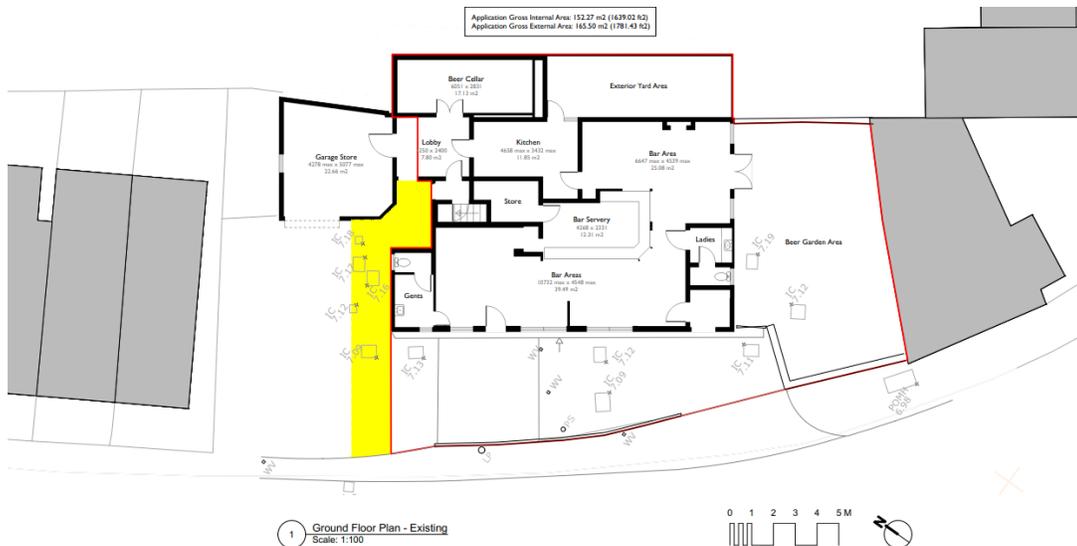


Figure 4 – Ground Floor configuration of 4-6 Ham Street in previous PH use

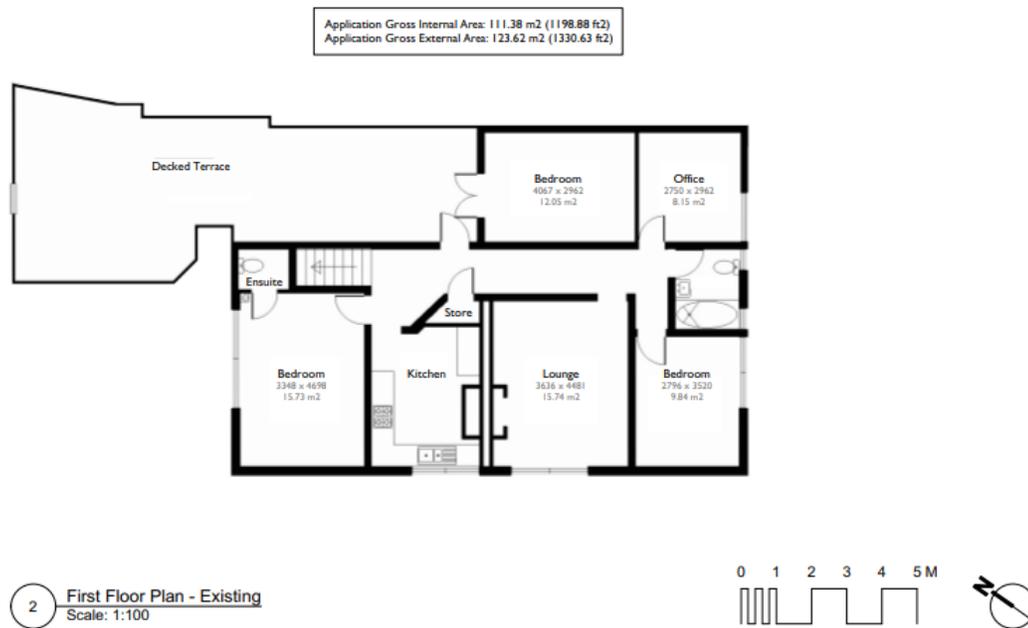


Figure 5 – 4-6 Ham Street – Existing First Floor Layout as Staff Flat

- 2.2 Unlike the surrounding Victorian and Edwardian terrace houses, the detached property at Nos 4-6 Ham Street is not historic but, with faux half timbering and render to exterior walls and hipped clay tile roof, it does have a modest picturesque quality which suggests “pub”, albeit slightly compromised by the large flat-topped dormer windows to front and side.
- 2.3 The existing building provides 165.50 sqm of Gross External Area (152.27 sqm Gross Internal Area) in public house use at ground level including bar areas, servery, kitchen, storage, cellar etc. A further 123.62 sqm of Gross External Area (111.38 sqm Gross Internal Area) is located at first floor level - in the form of a 3 bedroom staff flat contained within the steeply-pitched roof.
- 2.4 The external areas within the site are invariably hard surfaced, being laid to tarmacadam and concrete or terracotta paving slab. Multiple service and drainage runs are located to the front of the site, possibly explaining why there are no trees along the frontage and soft landscaping is minimal. A small section of low brick wall with railings is located at the southern end of the frontage. A decorative pub signpost and several concrete bollards with sections of chain link also lie close to the site’s Ham Street frontage, just to the right of the main entrance into the former pub.
- 2.5 In terms of its Public Transport Accessibility Level (PTAL), the site lies within a PTAL Level 1b contour and is considered to have low accessibility to public transport.

3.0 Planning History

3.1 A search of LBRUT's planning archive reveals only 4No previous applications for works to the property when in use as the Ham Brewery Tap:

- 09/0543/FUL
Replacement of existing windows to front and sides with UPVC double glazing in a. like for like style including French patio style doors to one side.
Refused Permission 27/5/2009
- 09/0163/CAC
Replace existing rotted wood frame windows to front and 2 sides with uPVC energy efficient, sound-proofed double glazing. The style will be like for like exactly. Including French patio style double doors to one side.
Withdrawn by the applicant 02/04/009
- 85/1423/ADV
Internally-illuminated pole crowner
Refused permission 16/12/1985
- 85/1028
Alterations at the rear of public house to form dining area, and kitchen extension and alterations to the south elevation. (Amended plans nos; 1038.1 Rev A and 1038.2 received 25th July 1986).
Refused permission 14/10/1986

4.0 Proposed Development

- 4.1 In general terms, the applicant intends to convert the ground floor of the existing building from public house to veterinary practice whilst retaining the 3 bedroom staff flat on the first floor. No extensions are proposed.
- 4.2 Internally, a more cellular sub-division of the existing 152.27 sqm of Gross Internal Area is required to provide the veterinary clinic (see Fig. 6 below). To front of house, a reception/waiting area with wc and dispensary and 3 consulting rooms will be provided. The rear of the ground floor would then accommodate the veterinary operating theatre with preparation room, a dental theatre with x-ray facility and a kennel room. The first-floor staff flat arrangement would remain unaltered (see Fig. 7 below).

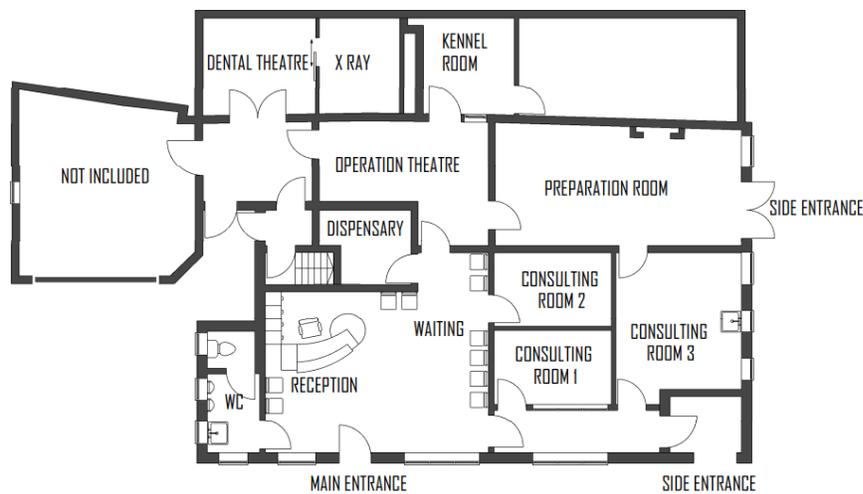


Figure 6 – Proposed Ground Floor Layout for Veterinary Surgery



Figure 7 – Proposed First Floor Staff Flat (as existing)

4.3 Externally (see Fig 8 below), 3 No staff and customer car parking spaces are located within the site – 1No space for staff (CP1), 1No space for customers which is situated close to the main entrance and is also suitable for disabled drivers (CP2), and a second space for customers to the side (CP3). Drivers using CP2 and CP3 will be able to enter and exit the site in forward gear. A further undesignated on-street space may also be required for off-site staff. 4No cycle parking spaces are also provided – 1No space in the form of a Sheffield stand for visitors near the main entrance and 3No spaces for staff in a secure timber-clad storage unit to the rear of the former beer garden. The less intensive use of the outdoor space should also allow a slight softening of the site’s presentation to the street with several new trees, the introduction of substantial timber trough planters with hedge planting and a soft-landscaped amenity space for staff in part of the former beer garden. The original post supporting the pub sign will be retained and an advertisement consent application for a new sign reflecting the new service will be submitted in due course.

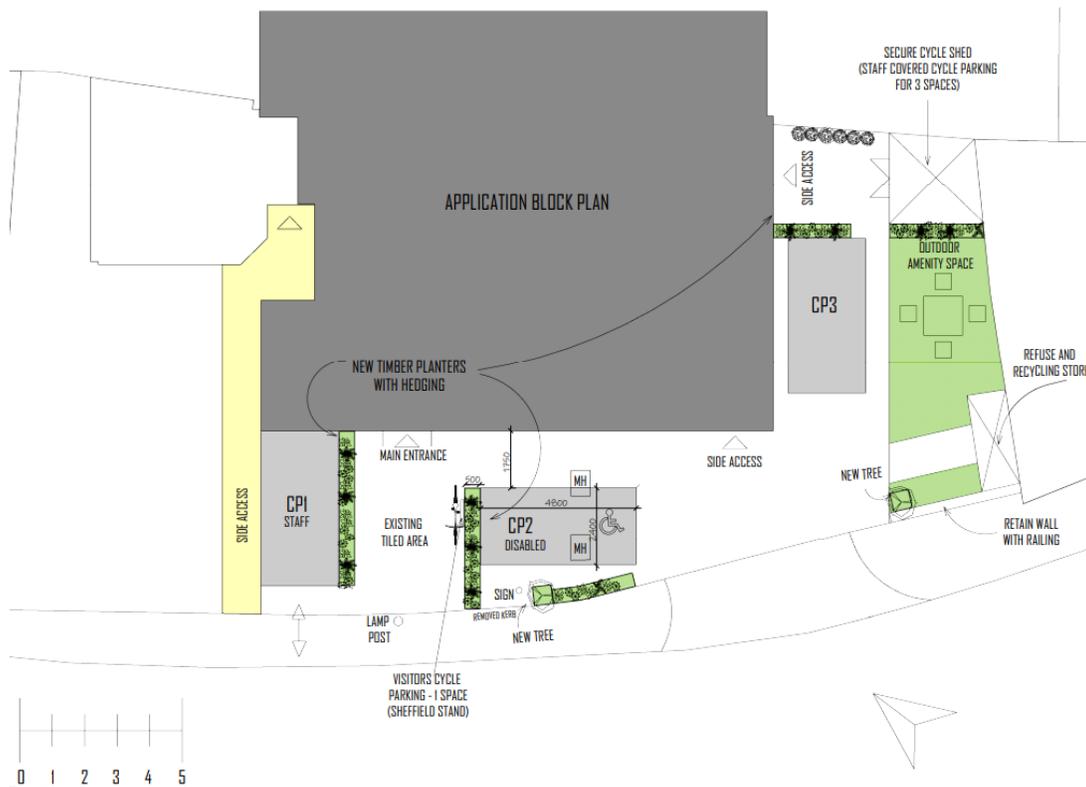


Figure 8 – Proposed Site Layout with 3No off-street carparking spaces, 4No cycle spaces, amenity area and refuse & recycling storage

5.0 Planning Policy Context

- 5.1 The planning policy context for the application site at 4-6 Ham Street is established by the hierarchy of adopted frameworks, plans & supplementary guidance covering the specific site, the last known use as a Public House and the proposed Veterinary Surgery use. Overarching planning policy in respect of such conversions derives from central government in the form of the National Planning Policy Framework (NPPF – amended 2021), but policies from this higher order document have been incorporated in the GLA's regional policy framework – the London Plan; and LBRUT's Local Plan (July 2018) and Ham and Petersham Neighbourhood Plan (Jan 2019). Together with the Council's Supplementary Planning Guidance, these documents form the “development plan” for the proposed development.
- 5.2 The Policies Map associated with the Local Plan (see extract in Fig 9 below) confirms the site does not include any nationally or locally listed buildings, although the building and part of the curtilage are located within the Ham House Conservation Area, with the remainder of the curtilage sited within the Ham Common Conservation Area. The site is also within an Archaeological Priority Area. No other specific designations cover the site.



Figure 9 – Extract from LBRUT Policies Map with vacant Public House (PH) to centre

5.3 As the site is located at the end of Ham Street, where most properties are in C3 Residential use, the proposed conversion of the closed public house to a veterinary surgery with staff flat over would still serve the local residents and thus complement the primary use in the surrounding area. This section will focus on the site-specific policy designations set out in 5.2 above and identify the other policies which fall to be considered in respect of the main planning issues raised by the proposal, as confirmed by LBRUT in their Pre-Application advice relating to the previous proposal for the residential redevelopment of the site, namely:

- Principle of Development
- Design and Appearance
- Impact on Neighbouring Amenity
- Transport and Highways
- Sustainability & Water Efficiency
- Flood Risk
- Trees, Landscaping and Biodiversity
- Archaeology

National Planning Policy

National Planning Policy Framework (NPPF) (Amended 2021)

5.4 The NPPF sets out the Government's position on the role of the planning system in both plan-making and decision-taking, stating that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms. It also emphasises the "presumption in favour of sustainable development".

5.5 Key provisions of the NPPF relevant to the current proposal include:

- NPPF 2 - Achieving sustainable development
- NPPF 4 - Decision Making
- NPPF 6 - Building a strong, competitive economy
- NPPF 8 - Promoting healthy and safe communities
- NPPF 9 - Promoting Sustainable Transport
- NPPF 11 - Making effective use of land
- NPPF 12 - Achieving well-designed places
- NPPF 15 - Conserving and enhancing the natural environment
- NPPF 16 - Conserving and enhancing the historic environment

5.6 Section 2 of the NPPF entitled Achieving Sustainable Development, and paragraph 11 in particular, emphasises the presumption in favour of sustainable development, i.e. development that meets the needs of the present

without compromising the ability of future generations to meet their own needs. The NPPF also advises that development proposals that accord with an up-to-date development plan should be approved without delay and where development plan policies are out-of-date, planning permission should be granted unless:

- i. the application of policies in this framework that protects areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

5.7 Paragraph 12 in the NPPF makes clear that the Framework does not change the statutory status of the development plan as a starting point for decision-making.

5.8 In terms of decision-taking, paragraph 38 asserts that LPAs should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area in order to foster the delivery of sustainable development.

Decision-makers at every level should seek to approve applications for sustainable development where possible.

5.9 Section 6 of the NPPF addresses the need to build a strong competitive economy with paragraph 81 advising:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

5.10 The following sections of paragraphs 82 and 83 are also relevant to the current B8 use proposal:

82. Planning policies should:

(d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

5.11 With regard to the existing public house and proposed veterinary surgery uses, paragraph 93 states:

93. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

5.12 In respect of Section 12 in the NPPF – Achieving well-designed places, paragraph 127 states that planning policies and decisions should ensure that developments:

- a. will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b. are visually attractive as a result of good architecture, layout and effective landscaping*
- c. are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

- d. establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive and distinctive places to live, work and visit;*
- e. optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f. create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

5.13 Paragraph 128 highlights the importance of design quality in the evolution of a scheme, and the need for applicants to consult with the Local Planning Authority and the local community in respect of emerging designs.

5.14 Paragraph 131 also asserts that, in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

5.15 With regard to climate change, paragraph 148 states:

The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the re-use of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

5.16 In determining planning applications, paragraph 153 advises that LPAs should expect new development to:

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

5.17 With regard to the conservation and enhancement of the natural environment set out in Chapter 15 of the NPPF, and habitats and biodiversity in particular, paragraph 174 b) advises that LPAs and development should:

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

- 5.18 The conservation and enhancement of the historic environment is covered in Section 16 of the NPPF. Paragraph 189 confirms that where a site has the potential to include heritage assets with archaeological interest, LPAs should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Part c) of paragraph 192 also refers to the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.19 When it comes to considering the potential impacts of a proposed development on the significance of a designated heritage asset, paragraph 193 confirms that great weight should be given to the asset's conservation, irrespective of the degree of potential harm to its significance.
- 5.20 Paragraph 200 advises that LPAs should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. Moreover, proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 5.21 On planning conditions the NPPF advises:

Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved. Conditions that are required to be discharged before development commences should be avoided unless there is a clear justification.

Regional Planning Policy

Transport for London's Public Transport Accessibility Toolkit

- 5.22 In terms of its Public Transport Accessibility Level (PTAL), the site lies within a PTAL Level 1b contour and is considered have low accessibility to public transport.

London Plan (March 2021)

- 5.23 Turning to the GLA's regional plan, the current London Plan (March 2021) includes a number of design, conservation and other policies relevant to the proposed conversion and forecourt alterations.
- 5.24 London Plan *Design Policy D4 Delivering Good Design* set out the following requirements:

Design analysis and development certainty

A Masterplans and design codes should be used to help bring forward development and ensure it delivers high quality design and place-making based on the requirements set out in Part B of Policy D3 Optimising site capacity through the design-led approach.

B Where appropriate, visual, environmental and movement modelling/ assessments should be undertaken to analyse potential design options for an area, site or development proposal. These models, particularly 3D virtual reality and other interactive digital models, should, where possible, be used to inform plan-making and decision-taking, and to engage Londoners in the planning process.

Design scrutiny

C Design and access statements submitted with development proposals should demonstrate that the proposal meets the design requirements of the London Plan.

D The design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising the analytical tools set out in Part B, local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process. Development proposals referable to the Mayor must have undergone at least one design review early on in their preparation before a planning application is made, or demonstrate that they have undergone a local borough process of design scrutiny, based on the principles set out in Part E if they:

- 1) include a residential component that exceeds 350 units per hectare; or*
- 2) propose a building defined as a tall building by the borough (see Policy D9 Tall buildings), or that is more than 30m in height where there is no local definition of a tall building.*

E The format of design reviews for any development should be agreed with the borough and comply with the Mayor's guidance on review principles, process and management, ensuring that:

- 1) design reviews are carried out transparently by independent experts in relevant disciplines*
- 2) design review comments are mindful of the wider policy context and focus on interpreting policy for the specific scheme*
- 3) where a scheme is reviewed more than once, subsequent design reviews reference and build on the recommendations of previous design reviews*
- 4) design review recommendations are appropriately recorded and communicated to officers and decision makers*
- 5) schemes show how they have considered and addressed the design review recommendations*
- 6) planning decisions demonstrate how design review has been addressed. Maintaining design quality*

F The design quality of development should be retained through to completion by:

- 1) ensuring maximum detail appropriate for the design stage is provided to avoid the need for later design amendments and to ensure scheme quality is not adversely affected by later decisions on construction, materials, landscaping details or minor alterations to layout or form of the development*
- 2) ensuring the wording of the planning permission, and associated conditions and legal agreement, provide clarity regarding the quality of design*
- 3) avoiding deferring the assessment of the design quality of large elements of a development to the consideration of a planning condition or referred matter*
- 4) local planning authorities considering conditioning the ongoing involvement of the original design team to monitor the design quality of a development through to completion.*

5.25 With regard to social infrastructure - in this case the loss of the vacant public house and the introduction of the veterinary surgery, Policy S1 Developing London's social infrastructure advises:

A When preparing Development Plans, boroughs should ensure the social infrastructure needs of London's diverse communities are met, informed by a needs assessment of social infrastructure. Assessments should consider the need for cross-borough collaboration where

appropriate and involve relevant stakeholders, including the local community.

C Development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported.

D Development proposals that seek to make best use of land, including the public-sector estate, should be encouraged and supported. This includes the co-location of different forms of social infrastructure and the rationalisation or sharing of facilities.

E New facilities should be easily accessible by public transport, cycling and walking and should be encouraged in high streets and town centres.

F Development proposals that would result in a loss of social infrastructure in an area of defined need as identified in the borough's social infrastructure needs assessment required under Part A should only be permitted where:

- 1) there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community, or;*
- 2) the loss is part of a wider public service transformation plan which requires investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services.*

G Redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered, unless this loss is part of a wider public service transformation plan (see Part F2).

5.26 As the Ham Brewery Tap site is located within two Conservation Areas, London Plan *Policy HC1 Heritage Conservation and Growth* also bears close consideration:

A Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London's historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area.

B Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London's heritage in regenerative change by:

- 1) setting out a clear vision that recognises and embeds the role of heritage in place-making*
- 2) utilising the heritage significance of a site or area in the planning and design process*
- 3) integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place*
- 4) delivering positive benefits that conserve and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing.*

C Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

D Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.

E Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and re-use.

5.27 Finally, it is noted that the new London Plan incorporates a policy on Fire Safety – Policy D12 and LBRUT has recently adopted this guidance, requiring all applications which result in additional floor area to be accompanied by a Planning Fire Safety Strategy. The London Plan Policy advises:

Policy D12 Fire safety

A In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

- 1) identify suitably positioned unobstructed outside space:
 - a) for fire appliances to be positioned on*
 - b) appropriate for use as an evacuation assembly point**
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures*
- 3) are constructed in an appropriate way to minimise the risk of fire spread*
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users*
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in*
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.*

B All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. The statement should detail how the development proposal will function in terms of:

- 1) the building's construction: methods, products and materials used, including manufacturers' details*
- 2) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach*
- 3) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans*
- 4) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these*
- 5) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building*
- 6) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.*

Local Planning Policy

5.28 In LBRUT's Pre-App Advice Letter (Ref 20/P0197/PREAPP) of 19.8.20, officers advised the following Local Plan policies would have a bearing on the demolition of the existing building and the proposal for new dwellinghouses on the site. Whilst the latest conversion proposal is much less impactful in physical terms, the following policies and guidance still apply:

Adopted Richmond Local Plan (July 2018)

- Policy LP 1 - Local Character and Design Quality
- Policy LP 3 - Designated Heritage Assets
- Policy LP 7 - Archaeology
- Policy LP 8 - Amenity and Living Conditions
- Policy LP 15 - Biodiversity
- Policy LP 16 - Trees, Woodland and Landscape
- Policy LP 20 - Climate Change Adaptation
- Policy LP 22 - Sustainable Design and Construction
- Policy LP 24 - Waste Management
- Policy LP 27 - Local shops and services
- Policy LP 28 - Social and Community Infrastructure
- Policy LP 44 - Sustainable Travel Choices
- Policy LP 45 - Parking Standards and Servicing

Ham and Petersham Neighbourhood Plan (Jan 2019)

- Policy C3 - Protecting the Character of Built Areas
- Policy CF1 - Community Facilities

Adopted Supplementary Planning Documents/Guidance (SPG/SPD)

- Design Quality
- Front Garden and other Off Street Parking Standards
- Refuse & Recycling Storage Requirements
- Sustainable Construction Checklist
- Ham Common Conservation Area Statement
- Ham House Conservation Area Statement
- GLAAS Archaeological Priority Area

5.29 The key Local Plan policies listed above are set out in greater detail below.

- *Local Plan Policy LP 1 - Local Character and Design Quality*

A. The Council will require all development to be of high architectural and urban design quality. The high quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area.

To ensure development respects, contributes to and enhances the local environment and character, the following will be considered when assessing proposals:

- 1. compatibility with local character including the relationship to existing townscape, development patterns, views, local grain and frontages as well as scale, height, massing, density, landscaping, proportions, form, materials and detailing;*
- 2. sustainable design and construction, including adaptability, subject to aesthetic considerations;*
- 3. layout, siting and access, including making best use of land;*
- 4. space between buildings, relationship of heights to widths and relationship to the public realm, heritage assets and natural features;*
- 5. inclusive design, connectivity, permeability (as such gated developments will not be permitted), natural surveillance and orientation; and*
- 6. suitability and compatibility of uses, taking account of any potential adverse impacts of the co-location of uses through the layout, design and management of the site.*

All proposals, including extensions, alterations and shop fronts, will be assessed against the advice set out in the relevant Village Planning Guidance and other SPDs relating to character and design.

- *Local Plan Policy LP 3 Designated Heritage Asset*

A. The Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal. The significance (including the settings) of the borough's designated heritage assets, encompassing Conservation Areas, listed

buildings, Scheduled Monuments as well as the Registered Historic Parks and Gardens, will be conserved and enhanced by the following means:

- 1. Give great weight to the conservation of the heritage asset when considering the impact of a proposed development on the significance of the asset.*
- 2. Resist the demolition in whole, or in part, of listed building. Consent for demolition of Grade II listed buildings will only be granted in exceptional circumstances and for Grade II* and Grade I listed buildings in wholly exceptional circumstances following a thorough assessment of the justification for the proposal and the significance of the asset.*
- 3. Resist the change of use of listed buildings where their significance would be harmed, particularly where the current use contributes to the character of the surrounding area and to its sense of place.*
- 4. Require the retention and preservation of the original structure, layout, architectural features, materials as well as later features of interest within listed buildings, and resist the removal or modification of features that are both internally and externally of architectural importance or that contribute to the significance of the asset.*
- 5. Demolitions (in whole or in part), alterations, extensions and any other modifications to listed buildings should be based on an accurate understanding of the significance of the heritage asset.*
- 6. Require, where appropriate, the reinstatement of internal and external features of special architectural or historic significance within listed buildings, and the removal of internal and external features that harm the significance of the asset, commensurate with the extent of proposed development.*
- 6. Require the use of appropriate materials and techniques and strongly encourage any works or repairs to a designated heritage asset to be carried out in a correct, scholarly manner by appropriate specialists.*
- 7. Protect and enhance the borough's registered Historic Parks and Gardens by ensuring that proposals do not have an adverse effect on their significance, including their setting and/or views to and from the registered landscape.*
- 8. Protect Scheduled Monuments by ensuring proposals do not have an adverse impact on their significance.*

- *Local Plan Policy LP 7 – Archaeology (part)*

Desk based assessments and, where necessary, archaeological field evaluation will be required before development proposals are determined, where development is proposed on sites of archaeological significance or potential significance.

- *Local Plan 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 Council will:

- 1. ensure the design and layout of buildings enables good standards of daylight and sunlight to be achieved in new development and in existing properties affected by new development; where existing daylight and sunlight conditions are already substandard, they should be improved where possible;*
- 2. ensure there is a minimum distance of 20 metres between main facing windows of habitable rooms (this includes living rooms, bedrooms and kitchens with a floor area of 13sqm or more) to preserve the privacy of existing properties affected by the new development;*
- 3. ensure balconies does not raise unacceptable overlooking or noise or disturbance to nearby occupiers;*
- 4. ensure that proposals are not visually intrusive or have an overbearing impact as a result of their height, massing or siting, including through creating a sense of enclosure;*
- 5. ensure there is no harm to the reasonable enjoyment of the use of buildings, gardens and other spaces due to increases in traffic, servicing, parking, noise, light, disturbance, air pollution, odours or vibration or local micro-climatic effects.*

Applicants are expected to comply with the Council's SPDs relating to design, including Village Planning Guidance, SPDs on extensions, infill and backland developments, housing mix and standards as well as residential development standards.

- *Local Plan Policy LP 15 - Biodiversity*

A. The Council will protect and enhance the borough's biodiversity, in particular, but not exclusively, the sites designated for their biodiversity and nature conservation value, including the connectivity between habitats. Weighted priority in terms of their importance will be afforded

to protected species and priority species and habitats including National Nature Reserves, Sites of Special Scientific Interest (SSSI) and Other Sites of Nature Importance as set out in the Biodiversity Strategy for England, and the London and Richmond upon Thames Biodiversity Action Plans. This will be achieved by:

- a. protecting biodiversity in, and adjacent to, the borough's designated sites for biodiversity and nature conservation importance (including buffer zones), as well as other existing habitats and features of biodiversity value;*
- b. supporting enhancements to biodiversity;*
- c. incorporating and creating new habitats or biodiversity features, including trees, into development sites and into the design of buildings themselves where appropriate; major developments are required to deliver net gain for biodiversity, through incorporation of ecological enhancements, wherever possible;*
- d. ensuring new biodiversity features or habitats connect to the wider ecological and green infrastructure networks and complement surrounding habitats;*
- e. enhancing wildlife corridors for the movement of species, including river corridors, where opportunities arise; and*
- f. maximising the provision of soft landscaping, including trees, shrubs and other vegetation that support the borough-wide Biodiversity Action Plan.*

B. Where development would impact on species or a habitat, especially where identified in the relevant Biodiversity Action Plan at London or local level, or the Biodiversity Strategy for England, the potential harm should:

- 1. firstly be avoided (the applicant has to demonstrate that there is no alternative site with less harmful impacts),*
- 2. secondly be adequately mitigated; or*
- 3. as a last resort, appropriately compensated for.*

- *Local Plan Policy LP 16 - Trees, Woodlands and Landscape*

A. The Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.

B. To ensure development protects, respects, contributes to and enhances trees and landscapes, the Council, when assessing development proposals, will:

Trees and Woodlands

- *resist the loss of trees, including aged or veteran trees, unless the tree is dead, dying or dangerous; or the tree is causing significant damage to adjacent structures; or the tree has little or no amenity value; or felling is for reasons of good arboricultural practice; resist development that would result in the loss or deterioration of irreplaceable habitat such as ancient woodland;*
- *resist development which results in the damage or loss of trees that are considered to be of townscape or amenity value; the Council will require that site design or layout ensures a harmonious relationship between trees and their surroundings and will resist development which will be likely to result in pressure to significantly prune or remove trees;*
- *require, where practicable, an appropriate replacement for any tree that is felled; a financial contribution to the provision for an off-site tree in line with the monetary value of the existing tree to be felled will be required in line with the 'Capital Asset Value for Amenity Trees' (CAVAT);*
- *require new trees to be of a suitable species for the location in terms of height and root spread, taking account of space required for trees to mature; the use of native species is encouraged where appropriate;*
- *require that trees are adequately protected throughout the course of development, in accordance with British Standard 5837 (Trees in relation to design, demolition and construction – Recommendations).*

The Council may serve Tree Preservation Orders or attach planning conditions to protect trees considered to be of value to the townscape and amenity and which are threatened by development.

Landscape

1. *require the retention of important existing landscape features where practicable;*
2. *require landscape design and materials to be of high quality and compatible with the surrounding landscape and character; and*
3. *encourage planting, including new trees, shrubs and other significant vegetation where appropriate.*

- *Local Plan Policy LP 20 - Climate Change Adaptation*

A. The Council will promote and encourage development to be fully resilient to the future impacts of climate change in order to minimise vulnerability of people and property.

B. New development, in their layout, design, construction, materials, landscaping and operation, should minimise the effects of overheating as well as minimise energy consumption in accordance with the following cooling hierarchy:

- 1. minimise internal heat generation through energy efficient design*
- 2. reduce the amount of heat entering a building in summer through shading, reducing solar reflectance, fenestration, insulation and green roofs and walls*
- 3. manage the heat within the building through exposed internal thermal mass and high ceilings*
- 4. passive ventilation*
- 5. mechanical ventilation*
- 6. active cooling systems (ensuring they are the lowest carbon options).*

C. Opportunities to adapt existing buildings, places and spaces to the likely effects of climate change should be maximised and will be supported.

- *Local Plan Policy LP 22 - Sustainable Design and Construction*

A. Developments will be required to achieve the highest standards of sustainable design and construction in order to mitigate against climate change. Applicants will be required to comply with the following:

- 1. Development of 1 dwelling unit or more, or 100sqm or more of non-residential floor space (including extensions) will be required to comply with the Sustainable Construction Checklist SPD. A completed Checklist has to be submitted as part of the planning application.*
- 2. Development that results in a new residential dwelling, including conversions, change of use, and extensions that result in a new dwelling unit, will be required to incorporate water conservation measures to achieve maximum water consumption of 110 litres per person per day for homes (including an allowance of 5 litres or less per person per day for external water consumption).*

Reducing Carbon Dioxide Emissions

B. Developers are required to incorporate measures to improve energy conservation and efficiency as well as contributions to renewable and low carbon energy generation. Proposed developments are required to meet the following minimum reductions in carbon dioxide emissions:

- 1. All new major residential developments (10 units or more) should achieve zero carbon standards in line with London Plan policy.*
- 2. All other new residential buildings should achieve a 35% reduction.*
- 3. All major non-residential buildings should achieve a 35% reduction. From 2019 all major non-residential buildings should achieve zero carbon standards in line with London Plan policy.*

Targets are expressed as a percentage improvement over the target emission rate (TER) based on Part L of the 2013 Building Regulations.

C. This should be achieved by following the Energy Hierarchy:

- 1. Be lean: use less energy*
- 2. Be clean: supply energy efficiently*
- 3. Be green: use renewable energy*

Decentralised Energy Networks

D. The Council requires developments to contribute towards the Mayor of London target of 25% of heat and power to be generated through localised decentralised energy (DE) systems by 2025. The following will be required:

- 1. All new development will be required to connect to existing DE networks where feasible. This also applies where a DE network is planned and expected to be operational within 5 years of the development being completed.*
- 2. Development proposals of 50 units or more, or new non-residential development of 1000sqm or more, will need to provide an assessment of the provision of on-site decentralised energy (DE) networks and combined heat and power (CHP).*
- 3. Where feasible, new development of 50 units or more, or new non-residential development of 1000sqm or more, as well as schemes for the Proposal Sites identified in this Plan, will need to provide on-site DE and CHP; this is particularly necessary within the clusters identified for DE opportunities in the borough-wide Heat Mapping Study. Where on-site provision is not*

feasible, provision should be made for future connection to a local DE network should one become available.

Applicants are required to consider the installation of low, or preferably ultra-low, NOx boilers to reduce the amount of NOx emitted in the borough.

Local opportunities to contribute towards decentralised energy supply from renewable and low-carbon technologies will be encouraged where appropriate.

- *Local Plan Policy LP 24 Waste Management*

The Council will ensure that waste is managed in accordance with the waste hierarchy, which is to reduce, reuse or recycle waste as close as possible to where it is produced. The Council will require the following:

- 1. All developments, including conversions and changes of use are required to provide adequate refuse and recycling storage space and facilities, which allows for ease of collection and which residents and occupiers can easily access, in line with the guidance and advice set out in the Council's SPD on Refuse and Recycling Storage Requirements.*
- 2. All developments need to ensure that the management of waste, including the location and design of refuse and recycling facilities, is sensitively integrated within the overall design of the scheme, in accordance with policies on Local Character and Design.*
- 3. Development proposals, where appropriate, should make use of the rail and the waterway network for the transportation of construction, demolition and other waste. Development proposals in close proximity to the river should utilise the river for the transport of construction materials and waste where practicable.*

- *Local Plan Policy LP 27 Local shops and services*

A. The Council seeks to protect local shops and services by the following means:

- 1. Change of use from premises falling within Use Classes A1 to A5 will not be permitted unless:*

- a. The unit is within 400 metres of a designated shopping frontage;*
- or*
- b. the existing use is inappropriate in terms of access or amenity and living conditions; or*
- c. the proposed use would provide a social or community service or function which outweighs the loss of the facility meeting evidence of a local need.*

2. New retail units to serve new housing development should be provided within existing centres. Where there is no existing centre within reasonable walking distance (400 metres), a new shop or shops may be required as part of a new housing development.

3. The Council will require satisfactory evidence of full and proper marketing where a proposal does not meet the above criteria. The applicant will be expected to undertake marketing in line with the requirements set out in Appendix 5.

Public houses

B. The Council will resist the loss of public houses. Before accepting the loss of any public house the Council requires satisfactory evidence of full and proper marketing normally for at least 2 years for a full range of appropriate uses (see policy LP 28 Social Infrastructure). The applicant will be expected to undertake marketing in line with the requirements set out in Appendix 5.

Explanatory Paragraphs

7.3.4 Public houses play an important role and social function in the local community and they add to the local character of an area. Therefore, the Council will resist the loss of public houses. Any proposal that results in the loss of a pub has to firstly provide satisfactory marketing evidence to establish that the pub is not viable (in line with Appendix 5 of this Plan). The pub's potential to provide a community service or function should be included in any marketing exercise.

7.3.5 When assessing a proposal for the change of use from a public house, the Council will take into account the following:

- whether there is another pub within 400 metres;*
- whether the use is inappropriate in terms of access or amenity or living conditions; and*

- *whether the proposed new use would provide a social or community service or function which outweighs the loss of the facility, meeting evidence of a local need.*

7.3.6 This policy applies to public houses including the hybrid A3/A4 use (public house with expanded food provision) introduced by amendment to the Use Classes Order in May 2017 (SI 619), and not wine bars. The criteria of policy LP 28 in 8.1 'Social and Community Infrastructure' will be applied when assessing the loss of a pub.

7.3.7 Applicants should also have regard to the Campaign for Real Ale's (CAMRA) Public House Viability Test.

- *Local Plan Policy LP 28 Social and Community Infrastructure*

A. The Council will work with service providers and developers to ensure the adequate provision of community services and facilities, especially in areas where there is an identified need or shortage.

New social and community infrastructure

B. Proposals for new or extensions to existing social and community infrastructure will be supported where:

- 1. it provides for an identified need;*
- 2. is of a high quality and inclusive design providing access for all; and*
- 3. where practicable is provided in multi-use, flexible and adaptable buildings or co-located with other social infrastructure uses which increases public access.*

Loss of social or community infrastructure

C. Loss of social or community infrastructure will be resisted. Proposals involving the loss of such infrastructure will need to demonstrate clearly:

- 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*
- 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*
- 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 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.

D. Where the Council is satisfied that the above evidence has been provided and the change of use away from social and community infrastructure use has been justified, redevelopment for other employment generating uses or affordable housing should be considered.

Impacts on existing social infrastructure

E. Development proposals for 10 or more residential units should assess the potential impacts on existing social and community infrastructure in order to demonstrate to the Council that there is sufficient capacity within the existing infrastructure to accommodate the needs arising from the new development.

- *Local Plan Policy LP 44 - Sustainable Travel Choices*

The Council will work in partnership to promote safe, sustainable and accessible transport solutions, which minimise the impacts of development including in relation to congestion, air pollution and carbon dioxide emissions, and maximise opportunities including for health benefits and providing access to services, facilities and employment. The Council will:

A. Location of development

Encourage high trip generating development to be located in areas with good public transport with sufficient capacity, or which are capable of supporting improvements to provide good public transport accessibility and capacity, taking account of local character and context.

B. Walking and cycling

Ensure that new development is designed to maximise permeability within and to the immediate vicinity of the development site through the provision of safe and convenient walking and cycling routes, and to provide opportunities for walking and cycling, including through the provision of links and enhancements to existing networks.

C. Public transport

Ensure that major new developments maximise opportunities to provide safe and convenient access to public transport services. Proposals will be expected to support improvements to existing services and infrastructure where no capacity currently exists or is planned to be provided.

Protect existing public transport interchange facilities unless suitable alternative facilities can be provided which ensure the maintenance of the existing public transport operations. Applications will need to include details setting out how such re-provision will be secured and provided in a timely manner.

D. The road network

Ensure that new development does not have a severe impact on the operation, safety or accessibility to the local or strategic highway networks. Any impacts on the local or strategic highway networks, arising from the development itself or the cumulative effects of development, including in relation to on-street parking, should be mitigated through the provision of, or contributions towards, necessary and relevant transport improvements.

In assessing planning applications the cumulative impacts of development on the transport network will be taken into account. Planning applications will need to be supported by the provision of a Transport Assessment if it is a major development, and a Transport Statement if it is a minor development.

- *Local Plan Policy LP 45 - Parking Standards and Servicing*

Parking standards

The Council will require new development to make provision for the accommodation of vehicles in order to provide for the needs of the development while minimising the impact of car based travel including on the operation of the road network and local environment, and ensuring making the best use of land. It will achieve this by:

1. Requiring new development to provide for car, cycle, 2 wheel and, where applicable, lorry parking and electric vehicle charging points, in accordance with the standards set out in Appendix 3. Opportunities to minimise car parking through its shared use will be encouraged.

2. Resisting the provision of front garden car parking unless it can be demonstrated that:

- a. there would be no material impact on road or pedestrian safety;*
- b. there would be no harmful impact on the character of the area, including the streetscape or setting of the property, in line with the policies on Local Character and Design; and*
- c. the existing on street demand is less than available capacity.*

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.*

All proposals for car free housing will need to be supported by the submission of a Travel Plan.

4. Managing the level of publicly available car parking to support the vitality and viability of town and local centres within the borough whilst limiting its impacts on the road network.

Ham and Petersham Neighbourhood Plan 2018-2023 (Jan 2019)

5.30 Paragraph 29 in the NPPF (2021) advises that neighbourhood planning gives communities the power to develop a shared vision for their area. Consequently, neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. However, neighbourhood plans must not promote less development than set out in the strategic policies for the area or undermine such strategic policies. Paragraph 30 further states that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a Local Plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently. The relevant document in this instance is the Ham and Petersham Neighbourhood Plan 2018-2023 (Jan 2019).

5.31 There are two highly relevant policies in the Neighbourhood Plan:

- *Neighbourhood Plan Policy C3 - Protecting the Character of Built Areas*

New developments should where it is both possible and practical for the scheme to retain and add to the neighbourhood's network of paths and through routes and maintain the open and permeable structure of the area. The realignment of paths and through routes will be acceptable where this will result in an improvement in permeability. Gated developments will not be accepted

- *Neighbourhood Plan Policy CF1 - Community Facilities*

The extension or relocation of local community facilities will be supported, subject to the services provided being maintained or improved. When there is no longer an identified community need for an existing community use or when it is relocated, primary consideration should be given to using and adapting the vacated premises for other community uses.

5.32 The extract from LBRUT's Ham and Petersham Neighbourhood Plan in Figure 10 below indicates the location of public houses on the 3 corners of Ham Common in dark blue and includes the closed Ham Brewery Tap to the north-west of the Common.

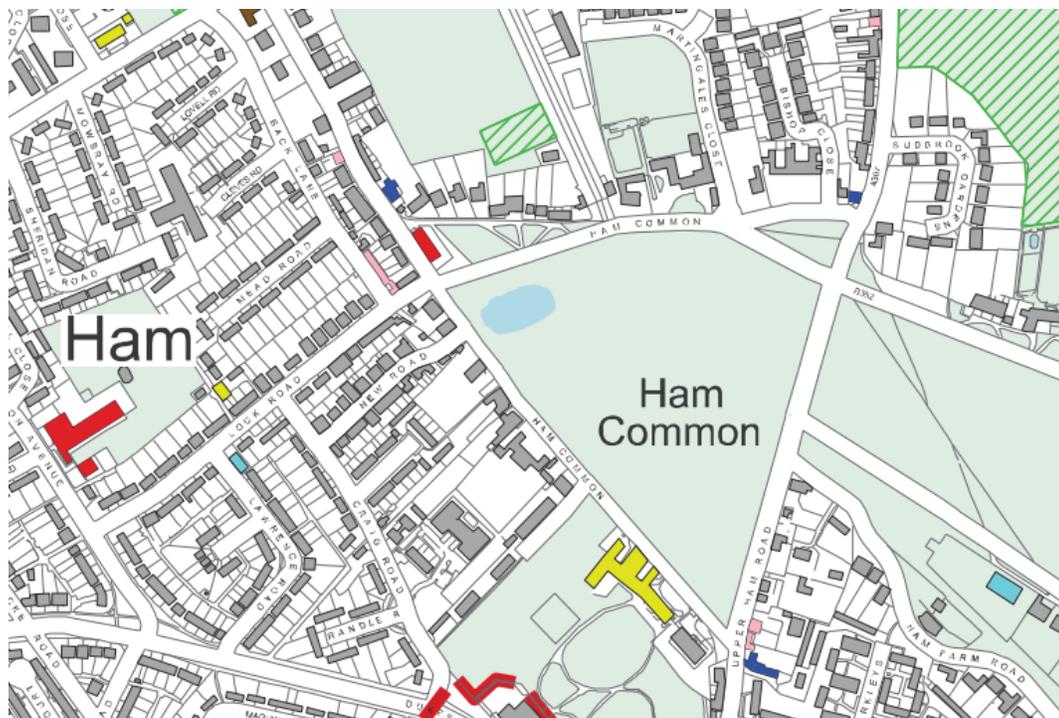


Figure 10 – Extract from Figure 5.1 in LBRUT's Ham and Petersham Neighbourhood Plan

5.33 In addition, the proposed works should adhere to the planning, design and heritage guidance set out in the following LBRUT supplementary documents:

- Design Quality SPD (2006)
- Front Garden and other Off Street Parking Standards
- Refuse & Recycling Storage Requirements
- Sustainable Construction Checklist
- Ham Common Conservation Area No.7 Statement
- Ham House Conservation Area No.23 Statement
- Character Appraisal & Management Plan - Conservation Areas Petersham No.6, Ham Common No.7, Ham House No.23 & Parkleys Estate No.67 (March 2007)
- GLAAS Archaeological Priority Area

Ham Common Conservation Area No.7 Statement, Ham House Conservation Area No.23 Statement & Character Appraisal & Management Plan - Conservation Areas Petersham No.6, Ham Common No.7, Ham House No.23 & Parkleys Estate No.67 (March 2007)

5.34 The southern end of the Ham Brewery Tap site just falls within the gateway to Ham Common to the south and, therefore, Ham Common Conservation Area No.7. Whilst there is no mention of the building in any of the literature, p17 of the Character Appraisal & Management Plan notes the character of the immediate area:

The Catholic Church of St Thomas Aquinas nestles quietly in the trees by the village pond, however it also occupies an important position terminating the view south down Ham Street and announcing entry to the common. Helping to enclose the space to the northwest of the church is a uniform group of unspoilt houses (Nos.1-9 Ham Street) of red brick with brick and tile detailing, timber sliding sash windows and porches, set behind well planted front gardens and timber paling fences.

5.35 However, the greater part of the site lies within the Ham Street Sub-Area of Ham House Conservation Area No.23 with pp20-21 of the Character Appraisal & Management Plan advising, *inter alia*:

Ham Street Ham Street winds lazily between Ham Common, Ham village, and the River Thames. It is the main access to Ham House, terminating at the visitors' car park on the riverside. It runs parallel with the Great South Avenue of the house.....Ham Street is both a key north south route and the transition line between the core of the former Ham House estate and Ham village, and the more modern

development to the west. The character of these two parts of Ham are clearly discernable from each other.....Even with the influence of substantial later C20 development, Ham Street still retains a sense of its original village character, closely related to Ham House and the river.

The village development is aligned along the southern half of Ham Street, predominately with buildings or boundary treatments enclosing this route on both sides..... At its southern end, Ham Street joins Ham Common and opens out to form a small public space overlooked by the local landmark, St Thomas Aquinas Catholic Church.

Buildings adopt a variety of forms, scale, style, detailing and use of materials. Although the predominant facing material is brick, which is also evident in a number of high boundary walls which edge the street. Ham Street has acquired its character over a long period of infill development and redevelopment. Boundaries are generally varied in scale and treatment

The southern end of Ham Street is enclosed by terraces of tight knit houses and cottages of a modest scale on narrow plots, which form a continuous frontage to the street. This includes a terrace of recent houses (nos.13-23), which adopt a somewhat vernacular style (outside the conservation area). Importantly these terraces enjoy well-planted front gardens enclosed by timber paling fences, which define the street edge. On the east side of the street, two terraced groups of cottages adopt an almost uniform character with mostly white rendered or painted brick frontages with timber sliding sash windows and doors under shallow pitched slate roofs with brick chimneys. They are traditionally brick built and predominantly of two storeys in height. These cottages are remarkably unspoilt by insensitive alteration. Later roof extensions and rooflights are not visible. However, unsympathetic modern materials have replaced a number of traditional timber sliding sash windows. The historic terrace of nos.12-36 includes some of the oldest cottages in Ham. Their modest scale and traditional use of materials contribute to the distinctive village character of this area.

6.0 Design, Access & Refuse/Recycling Considerations

Design Rationale

- 6.1 Aside from achieving an acceptable internal conversion of the existing property to provide a veterinary clinic – no extensions are proposed, the applicant is seeking to improve the appearance of the building and the hard forecourt area to create something more fitting for a professional practice. Consequently, the rotting *faux* half timbering will be replaced and the whole of the front and side elevations repainted in white (see Figure 11 below). Whilst the cost of re-directing the many existing subterranean service runs in the forecourt would be prohibitive for a small business set up, it is intended to use hedging and trees in box planters to maximum effect, the planting being maintained by permanent in-built trickle irrigation operated by a timer. In addition, the concrete pavers covering half of the area previously used as a beer garden would be removed and an area of lawn reinstated for the use of staff and customers. Most of the existing dwarf wall with railings would also be retained. Overall, the changes are intended to lose the pub image and soften the building's setting thus helping it to blend in better with its conservation area surroundings.



Figure 11 – Proposed “Ham Street Vets” with hedging and trees in box planters

- 6.2 Whilst the applicant's traffic consultants advise 3No delineated off-street car parking spaces are required to meet LBRUT's parking standards, this represents an improvement over the existing free for all where cars are able to park over the entire forecourt, with the exception of the beer garden. The proposed arrangement provides both a car parking space capable of being used by disabled drivers and a cycle space immediately adjacent to the main

surgery entrance, with other cycles stored in a secure bike shed to the rear of the site where they would be less prone to vandalism (see Figures 12 & 13 below).



Figure 12 – Proposed Ham Street Vets with on-site parking & turning for 2No cars



Figure 13 – Proposed Ham Street Vets with cycle and refuse/recycling storage units to rear and side

Refuse and Recycling

- 6.3 The applicant is aware that LBRUT runs a weekly collection of refuse and a separate weekly collection for recycling, often on the same day, so is providing sufficient onsite storage for a week's generation of refuse and recycling material from the surgery and staff flat single. A large timber refuse and recycling storage unit is located adjacent to the southern boundary, behind the section of front wall with railings and hedging (see Figure 13 above). The refuse and recycling crates/bins can be moved from the storage unit to a point immediately adjacent to the vehicular access on Collection Day to facilitate collection.

Access

- 6.4 With regard to access, a customer carparking space capable of use by disabled persons is located close to the main entrance to the surgery and the applicant will ensure the main entrance accommodates disabled access. The previous public house use required a high number of access/exit points to ensure customer safety and these 4 entrances/fire exits to front and both sides will be retained in the latest proposals. At first floor level, the configuration of the staff flat accommodation with single stair access is unchanged.
- 6.5 Overall, the applicant considers the internal conversion and modest makeover of the vacant property make good use of an underused site on an existing residential street, respects the character and appearance of the Conservation Areas and will breathe new life into a building which was beginning to look very down-at-heel.

7.0 Heritage Statement

- 7.1 Although 4-6 Ham Street is neither statutorily nor locally listed, as advised in paras 5.34-5.35 above, the southern end of the site falls within Ham Common Conservation Area No.7, forming part of the “gateway” to Ham Common to the south. In addition, the greater part of the site lies within the Ham Street Sub-Area of the Ham House Conservation Area No.23. Consequently, the application must be accompanied by an appropriate assessment considering the significance of the affected Conservation Area heritage assets and the potential for the proposed works to impact on that significance.

Significance of Heritage Assets

Significance of Ham Common Conservation Area No.7

- 7.2 Whilst there is no specific reference to the property at 4-6 Ham Street, p17 of the *Ham Common Conservation Area No.7 Statement, Ham House Conservation Area No.23 Statement & Character Appraisal & Management Plan - Conservation Areas Petersham No.6, Ham Common No.7, Ham House No.23 & Parkleys Estate No.67 (March 2007)* does refer to the character of the immediate area:

The Catholic Church of St Thomas Aquinas nestles quietly in the trees by the village pond, however, it also occupies an important position terminating the view south down Ham Street and announcing entry to the common. Helping to enclose the space to the northwest of the church is a uniform group of unspoilt houses (Nos.1-9 Ham Street) of red brick with brick and tile detailing, timber sliding sash windows and porches, set behind well planted front gardens and timber paling fences.

- 7.3 Clearly, the significance of the Conservation Area No7 lies in the open character and appearance of Ham Common itself and the historic buildings (and later high-quality replacements) which contain that space. The gateways to the Common from the surrounding settlement, including that at the end of Ham Street, are important focal points and it is appropriate that all buildings within such transition zones should contribute positively to the streetscape.

Significance of Ham House Conservation Area No.23

- 7.4 By way of contrast, the significance of the Ham Street Sub-Area within the adjoining *Ham House Conservation Area No.23* to the north lies in its village character - deriving from its historic function as a key north-south route and the transition line between the core of the former Ham House estate, Ham village, and the more modern development to the west. Pages 20-21 of the *Ham House Conservation Area No.23 Statement* note:

Even with the influence of substantial later C20 development, Ham Street still retains a sense of its original village character, closely related to Ham House and the river.

The village development is aligned along the southern half of Ham Street, predominately with buildings or boundary treatments enclosing this route on both sides..... At its southern end, Ham Street joins Ham Common and opens out to form a small public space overlooked by the local landmark, St Thomas Aquinas Catholic Church.

Buildings adopt a variety of forms, scale, style, detailing and use of materials. Although the predominant facing material is brick, which is also evident in a number of high boundary walls which edge the street. Ham Street has acquired its character over a long period of infill development and redevelopment. Boundaries are generally varied in scale and treatment

The southern end of Ham Street is enclosed by terraces of tight knit houses and cottages of a modest scale on narrow plots, which form a continuous frontage to the street.

- 7.5 As with the findings in respect of *Ham Common Conservation Area No.7*, in order to recognise the significance of *Ham House Conservation Area No.23*, development within Ham Street should seek to respect and reinforce the village character of the street in terms of its form, detailed design and choice of materials.

Impact of Proposed Works on Significance of Heritage Assets

Impact of Proposed Works on the Significance of Ham Common Conservation Area No.7 and Ham House Conservation Area No.23 Heritage Assets

- 7.6 The proposed external works to the property at 4-6 Ham Street are modest, largely involving the redecoration of the exterior to replace the *faux* half-timbered pub appearance what that of an efficient veterinary practice. To this end, the dark brown half timbers with buff infill panels are repainted white and will have new signage. As to the surrounding forecourt, ground intrusion is limited by the number of service runs in the area and the need to provide 3No off-street car parking spaces, but the applicant intends to soften the hard appearance and partially screen the parking by introducing dark green hedging and trees in box planters to the front. The existing chequered pattern tiling leading to the front entrance will also be repaired and restored.

- 7.7 To the side, part of the concrete-paved former beer garden will be lifted and grass will be laid instead to provide a small amenity area. A hedge will also be planted behind the remaining section of dwarf brick wall with railings. The cycle storage shed and waste and recycling storage unit are also to the side – set against the southern boundary wall.
- 7.8 AGA considers the proposed physical works maintain and enhance the appearance and village character of this part of the affected Conservation Areas. In addition, the proposed veterinary clinic use is intended to serve the local community, which only reinforces the village feel.
- 7.9 Overall, AGA concludes that the proposed works at 4-6 Ham Street will have minimal impact on the significance of the relevant Heritage Assets and, consequently, there are no heritage grounds for withholding consent for the application.

8.0 Transportation and Parking

- 8.1 In February 2022, ADL Traffic provided a Transportation Note identifying the transport implications of the proposed change of use from a public house to a veterinary practice.
- 8.2 ADL notes the site is located within an area of mixed use but is predominantly residential in nature. In addition, although the site is in an area considered to be of low public transport accessibility (PTAL 1b), it does benefit from being situated within walking and cycling distance of Ham and the surrounding areas and it is anticipated that residents are likely to walk to their local facilities/amenities. There are also ample walking and cycle routes throughout the area of Ham which pass the site and connect with Teddington and Petersham. ADL also advises the National Travel Survey 2020 confirmed that over 82% of trips under 1 mile are made on foot. This is highly relevant as the proposed veterinary practice is intended to serve the immediate and nearby catchment of Ham which is entirely situated within a 1-mile radius of the site. Consequently, it is considered that the majority of trips to the proposal site will occur on foot.
- 8.3 As to the car parking required to serve a veterinary practice with 3 consulting rooms and employing circa 5 staff members, plus an existing ancillary staff flat on the first floor, ADL notes that the site frontage to the south and east will be improved to provide landscaping and 3 formally marked car parking spaces to serve the change of use. One car parking space will be allocated for Staff/Residential use only, with the other two for customer parking. The customer space nearest the main entrance to the surgery will also be disabled accessible and it will be possible to access and exit this space and the other customer parking space in forward gear (see Vehicle Tracking analysis at end of ADL Note).
- 8.4 Local Plan Policy LP 45 - Parking Standards and Servicing and Appendix 3 and the London Plan confirm that, for clinics and surgeries in areas with a PTAL of 0-3, 1No car parking space should be providing per consulting room. The proposal is, therefore, required to provide 3 car parking spaces to serve the veterinary practice, so the off-street provision of 3 cars conforms with policy. ADL also notes that, if needed, there are ample car parking opportunities to the southeast of the site where an informal car parking area not affected by a CPZ exists to the front of the St Thomas Aquinas Church. However, as previously noted, the veterinary surgery provides a local facility that will encourage trips predominantly by walking and cycling.
- 8.5 With regard to cycle parking, ADL advises that three long-stay and one short-stay cycle parking spaces are required to serve the development. Consequently, one short-stay cycle parking space will be installed close to the main entrance, and 3No long-stay cycle spaces will be available within a

secure cycle shed at the northeast of the site, including use by the resident staff in the 2-bedroom flat at first floor level. This adheres with the Policy requirements.

- 8.6 In respect of the likely traffic impact, ADL advises the TRICS database does not provide any comparable trip/traffic survey information for public houses or veterinary practices within Greater London which would enable an assessment of the likely traffic impacts of the proposal. However, given the modest scale of the proposals - only 3 consulting rooms, and the justification set out in 8.2 above in respect of this being a local facility which is well-sited with good walking and cycle links to serve the immediate catchment and where most trips are likely to occur on foot, ADL concludes that traffic impacts will be negligible. Certainly, they consider there will be a significant reduction in vehicle trips between midday and the evening, although there may be an imperceptible increase in vehicle trips in the morning periods when the public house would have previously been closed for business.
- 8.7 Overall, ADL concludes that the transport implications resulting from the proposed change of use will be negligible, and that the development proposals adhere to local and regional policy.

9.0 Flood Risk Assessment

9.1 HMG's Flood Risk for Planning mapping confirms 4-6 Ham Street lies within Flood Zone 1 - an area of very-low risk of fluvial flooding (see Figure 14 below) and low-risk of surface water or flash flooding (see Figure 15 below).

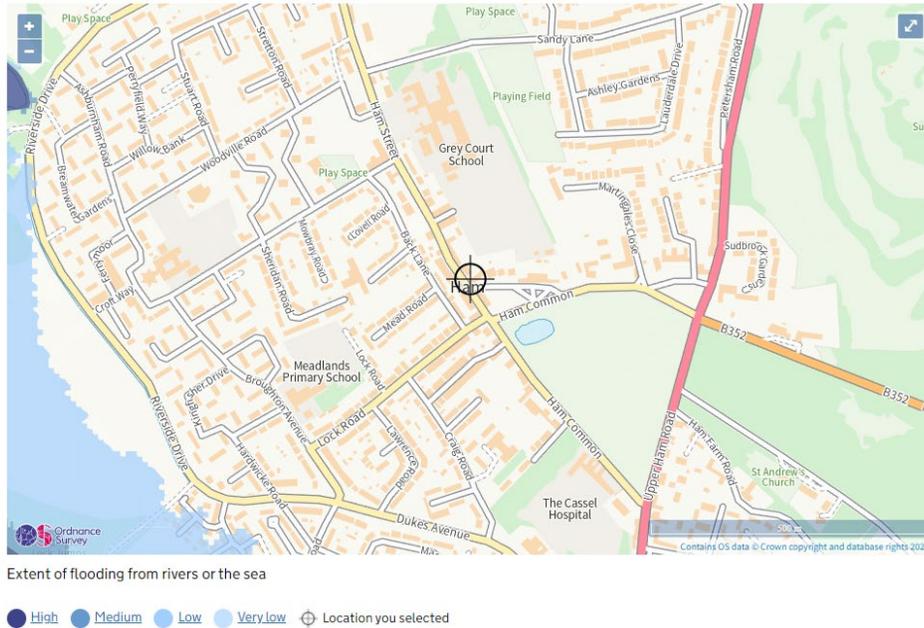


Figure 14 – Proposed Ham Street Vets site – very-low risk of fluvial flooding

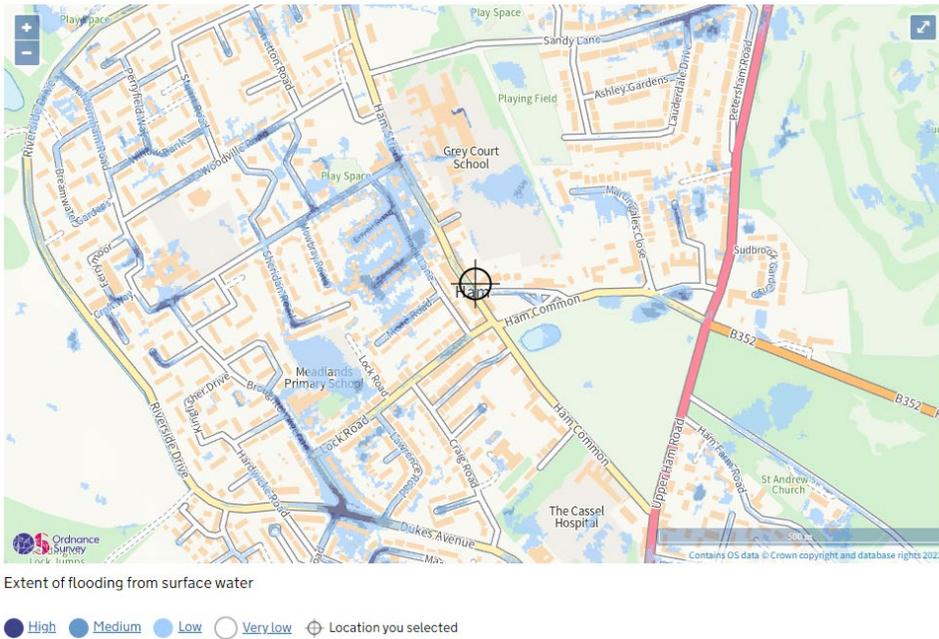


Figure 15 – Proposed Ham Street Vets site – low-risk of surface water flooding

- 9.2 Changes to the exterior of 4-6 Ham Street are minimal, so the drainage strategy involves re-using the existing subterranean storm drainage, although 50% of the former concrete-paved beer garden to the side of the property will be returned to grass, allowing natural percolation of rainwater into the ground. As a consequence, site run off into storm drains should be reduced overall.

10.0 Planning Fire Safety Strategy

10.1 In March 2022, the applicant appointed Mu Studio (UK) Ltd to provide fire safety consultancy services in support of the planning stage design for the change of use and refurbishment of the former public house at 4–6 Ham Street.

Means of warning and escape

10.2 Mu Studios confirms that means of escape from the vet's practice will be available to one of four final exits, having travel distances which do not exceed the recommended limitations of 18m in a single direction or 45m where available in multiple directions. Although inner rooms are proposed within the vet's practice – i.e. Consulting room 2 and the Kennel rooms where the Dispensary and X-Ray are expected to be only transiently occupied, it has been agreed that either vision panels of at least 0.1 sqm will be provided within the walls or doors separating the inner room and the associated access room, so people within the inner room could see if a fire starts within the access room; or the access rooms will be fitted with automatic detection and alarm to give warning to occupants of the inner room in the event of a fire within an access room. As a minimum, the vet's practice will be fitted with a Category M (manual) detection and alarm system in accordance with BS 5839-1. This would feature manual call points at each of the four final exits, to be installed in accordance with BS EN 54-11 Type A.

10.3 As to the existing staff flat, Mu Studios confirms this is configured in accordance with the expectations of Section 3.16(a) of ABD1, with all habitable rooms having an emergency escape window meeting the following recommendations:

- Having an unobstructed openable area of at least 0.33 sqm, a minimum dimension of 450 mm for both width and height, and the height of the window being no greater than 1,100 mm above the floor level.
- The windows are capable of remaining open without being held.
- Onward escape is available from the area below the windows without re-entering the building.

10.4 Mu Studios also recommends that a Grade D1 Category LD2 or better detection and alarm system be installed within the apartment in accordance with BS 5839-6. This requires smoke detection in the hallway/stair area and principal living spaces, and a heat detector in the kitchen area, with each detector head incorporating an alarm sounder. In the event of any one detector head being activated, the sounders in all heads in the apartment should activate immediately. Detector heads should be hardwired in accordance with the expectations of BS 5839-6 as a wireless, battery-

operated system will not be sufficient to meet contemporary guidance expectations. A Grade D1 system is recommended to allow flexibility if the apartment is to be rented.

- 10.5 With regard to any construction works, Mu Studios advises in Section 3.1 of their report that materials used for the surface linings of internal walls and ceilings should meet the recommended classifications to BS EN 13501-1 given in Section 4 of ADB1 and Section 6 of ADB2. The consultancy then makes specific recommendations.
- 10.6 In respect of fire service access and facilities, Mu Studios notes that fire appliances will continue to be able to use Ham Street as a hardstanding area outside the building. An existing public fire hydrant is also present adjacent to the Ham General Store, approximately 45 m from the hardstanding area. This will offer a suitable firefighting water supply for use by the pumping appliance, where within the 90 m distance recommended by ADB.
- 10.7 As the vet's practice and staff flat are each accessed directly from outside the building, no internal features to support firefighting (such as firefighting lifts or stairs, smoke extraction, dry rising mains, etc.) are expected by ADB1 or ADB2, nor will they be provided. ADB1 recommends that for an unsprinklered dwelling not supported by internal firefighting features, access for a pump appliance should be provided to a location within 45m of all points inside the dwelling measured along a route suitable for laying hose. This is achieved for the existing staff flat and will be maintained following refurbishment, with a total hose laying distance of circa 35m being present, with an additional circa 8m of hose laying to reach the hardstanding area at the public road. Section 15.1(b) of ADB2 recommends that all areas of the footprint of the vet's practice should be located within a 45m distance of a pump appliance hardstanding. This is achieved at the existing building and will be maintained with the proposed development where all areas are within circa 20m of fire appliance access route.
- 10.8 Finally, Mu Studios advises an automatic suppression system is not expected within the development, either to meet the expectations of contemporary guidance or as an additional mitigation measure. As such, automatic suppression is not included as a recommendation within this fire statement report. Future incorporation of an automatic suppression system may be at the discretion of the building owner.

11.0 Energy Statement & Sustainable Construction Checklist

- 11.1 With regard to energy usage and sustainability policy as set out in Local Plan, the applicant appointed SRE to develop an Energy and Sustainability Statement for the proposed development at 4-6 Ham Street and to prepare a Statement to demonstrate that the measures incorporated into the design will deliver lower energy and water use, lower carbon emissions and lower operational costs compared to a Building Regulations compliant design. The standalone SRE documents accompanying the application comprise a combined Energy and Sustainability Statement with LBRUT's Sustainable Construction Checklist duly completed, a Specification Summary and a BRUKL Output Document.
- 11.2 SRE's chosen energy strategy involves
- Passive and active design measures;
 - High efficiency ASHP (VRV/VRF) system to provide cooling and space heating; and
 - High efficiency gas-fired combinational boiler for water heating.
- 11.3 This strategy follows the GLA Energy Hierarchy of Lean, Clean, Green and Seen and includes Lean passive and active design measures and Green LZC technologies to achieve a 45.68% improvement over Baseline CO₂ emissions (see Fig 16 below), in-line with the London Borough of Richmond upon Thames Local Plan Policy LP 22, which requires a minimum 35% improvement over Baseline CO₂ emissions for all non-residential buildings with an internal floor area >100 sqm.

Regulated carbon dioxide savings from each stage of the energy hierarchy for non-domestic buildings		
	CO ₂ emissions (tCO ₂ /year)	Improvement over baseline (%)
Baseline	15.49	-
Lean	14.68	5.21
Clean	14.68	5.21
Green	8.41	45.68

Figure 16 – SRE Summary of Regulated Carbon Dioxide Savings

- 11.4 SRE has also completed LBRUT's Sustainable Construction Checklist pro forma (see Appendix E to SRE's Energy and Sustainability Statement) for the proposed development, and this produces a total score of 44 which equates to a C Rating and thus complies with the Council's SPD Policy.

12.0 Marketing, Viability & Need Appraisals

Marketing Appraisal - Background

- 12.1 Christies & Co (Christies), the current marketing agents for 4-6 Ham Street, advise that the former owners of the property, Admiral Taverns, instructed specialist licenced premises agent AG&G to market the property on a multiple agency basis from 31st October 2018, either to let or for sale. Christies has since obtained clarification from AG&G that this marketing activity was initiated in part due to Admiral's tenant being in rental arrears, with the pub's business apparently failing. AG&G also confirmed that Admiral's tenant held a tied tenancy at a rental of £29,000pa. We are informed that AG&G generated 4 offers for the property, exclusively from prospective non-licenced trade buyers, none of which was pursued by Admiral. Subsequently, Admiral chose to pursue a sale to Compton London Ltd, a subsidiary of Radia Estates Ltd, and contracts for a freehold sale of the property were exchanged. AG&G was then instructed by Radia Estates to offer the property to let or for sale on 28th February 2020, although Christie & Co was not informed of this instruction. A copy of AG&G's sales particulars is attached as Appendix IV to Christies' Report.
- 12.2 In March 2022, Christie & Co (Christies), the current marketing agents, were instructed to prepare a marketing report in respect of 4-6 Ham Street which covered Christies' marketing for both the previous owner - Compton London Limited, and the current owner. Christies advise that in both marketing exercises, the property was placed on the Commercial section of the UK wide property selling portal Rightmove, as well as the Christie & Co dedicated property selling website (www.christie.com). In addition, a highly visible "To Let" Board was placed at the property with "New Lease Available" in addition to "Freehold Offers Considered" for both campaigns.

The Marketing Campaigns

- 12.3 Christies' Appraisal summarises both of their marketing campaigns since February 2020, with the detail extracted from the company's unique IBIS CRM database system which provides detailed analysis of the levels of interest from the sales marketing campaigns:

Campaign #1 – Compton Limited (21st February 2020 to 24th September 2021)

- 11th February 2020 – Christie & Co undertook inspection of the property and provided marketing advice.
- 21st February 2020 – Instructed to find a suitable tenant for the entire premises quoting a commencement rent of £60,000 per annum with term of lease to be negotiated. Or, freehold offers considered.

- A copy of Christie & Co's marketing details for Campaign #1 is attached in Appendix II of their Report

Campaign #2 – Current Owners (13th October 2021 to date)

- 13th October 2021 – Instructed by new freehold owners to find a suitable tenant for the entire premises quoting a Nil Premium and commencement rent of £55,000 per annum with term of lease to be negotiated, or freehold offers may be considered. The existing “To Let” board erected at the property was replaced with “New Lease Available”.
- A copy of Christie & Co's marketing details for Campaign #2 is attached in Appendix III of their Report

12.4 Christies advises Campaign #1 involved nine general email campaigns as well as “New Opportunities”, and “Targeted Campaigns” being issued to the Christie & Co database of applicants on the dates below and resulted in a total of 18,425 applicants and 6,880 unique opens. The Ham Brewery Tap was featured on the Christie & Co website and Rightmove from the date of instruction in February 2020 until 24th September 2021, with the marketing campaign covering not only pubs, restaurants and cafes, but also other community uses including gyms, health clubs, surgeries, vets, nurseries, social clubs, dance studios, laundrettes and religious establishments. As a result of Christies' campaign, 13 formal viewings were undertaken from a range of buyers including existing pub and restaurant operators, as well non-licensed uses, e.g. an Arts & Social Club. It should be noted that a Director of Compton Ltd suddenly passed away in early 2021 and, as a consequence, Christie & Co were instructed on the 31st March 2021 to seek a freehold purchaser, resulting in an offer from the current owners, acceptance by the Estate Beneficiaries on 13th July 2021, and exchange of contracts on 24th September 2021.

12.5 Feedback from viewings during Campaign #1 included the following reasons for interested parties not pursuing the opportunity:

- Too much work required
- No dedicated customer car parking facilities
- Area/demographics unsuitable for intended style of operation
- Trade space too small and limited scope to significantly extend
- Configuration of trade space unsuitable

12.6 Marketing Campaign #2 for the current owner again involved a general email campaign and “New Opportunities” and “Targeted Campaigns” being issued to the Christie & Co database of applicants on the 27th October 2021. The Ham Brewery Tap was placed on the Christie & Co website from date of instruction in September 2021 and continues to attract enquiries. The marketing campaign covered pubs, restaurants and cafes together with a

similar list of community users to the previous marketing Campaign #1 undertaken for Compton Ltd. As a result of Christies' extensive campaign, 6 formal viewings have been undertaken to date from a range of buyers including existing pub and restaurant operators, as well non-licensed uses, e.g. a veterinary practice.

12.7 Feedback from viewings during Campaign #2 included the following reasons for interested parties not pursuing the opportunity:

- Limited parking on and around the premises
- Trade space too small and limited scope to extend
- Internal layout non conducive to intended style of operation

Competition and Commercial Viability

12.8 Page 12 of Christies' Report considers the level of competition and the operational challenges facing attempts to resurrect a pub business at 4-6 Ham Street.

12.9 In the first instance, Christies examines the pub competition to the Ham Brewery Tap in the immediate vicinity and what makes them viable. These include:

- The New Inn, occupying a prominent position at the junction of Ham Common and Petersham Road some 437m to the east – a larger, better located pub with extensive pub garden and enjoying good food trade.
- Hand & Flower, occupying a busy location on Upper Ham Road some 535m to the south-east – a much larger pub with extensive beer garden to the rear. Although this pub has a somewhat chequered history and requires refurbishment, it has good potential for increased food trade, having previously provided a popular restaurant to the rear of the bar areas. It is understood the pub is currently closed for investment and improvements (Source: The Ham & Petersham Community Magazine).
- Fox & Duck, occupying a prominent position on Petersham Road some 1,200m to the north - subject to recent improvement works, with parking and outdoor seating, and enjoying good food trade. It is understood the operators are due to apply for a new restaurant area and extended kitchen (Source: The Ham & Petersham Community Magazine).
- The Anglers, occupying a riverside location some 1,100m to the south-west. This significantly larger pub/restaurant has the benefit of an extensive pub garden with riverside frontage and enjoys very popular food trade.

12.10 Christies advises viability in the pub trade has become increasingly dependent on what is known as the Food-Led Model and they have sought to emphasise the potential for the Ham Brewery Tap to convert to this model when marketing the premises. This marketing campaign did generate a limited number of initial enquiries for conversion of the Ham Brewery Tap to a food-led pub or restaurant, but subsequent site inspections and assessments of trading potential led interested parties to decline pursuing an acquisition. The key reasons given were the limited trading area available and the lack of potential to extend. Although the overall ground floor area including the garage is circa 210 sqm, the pub's trading area is little more than half this figure. By way of contrast, Christies advises the requirements of 'gastro pub' and restaurant occupiers range from 300 sqm – 500 sqm. Examples of requirement circulars from typical gastro pub and restaurant occupiers supporting this view are attached in Appendix IV of Christies Marketing Report. Other reasons cited for the building's unsuitability for food-led trade included:

- lack of passing trade
- limited outside seating area
- lack of on-site parking; and
- concerns as to the suitability of the local catchment area for such use.

12.11 With regard to alternative community uses, Christies' extensive marketing campaign included marketing the property to other community uses, although positive responses have been very limited. Christies notes the property is clearly too small for a health club/gym or a nursery, with the added limitation of lack of on-site car parking and outdoor space. There was a preliminary enquiry from an arts/pub/café club but this failed to progress beyond initial discussions due in part to other sites being deemed more suitable. Christies advises that by far the best enquiry from a use that would provide a service to the community was from Ham Street Vets and Douglas Dick - the subject of the current planning application.

Ham Brewery Tap – Historical Trading

12.12 Christies is aware that the Ham Brewery Tap survived almost exclusively on 'wet trade' due to the limited size of its public areas and consequent unsuitability for food trade, and demographically differing local catchment areas. Over recent years, most wet-led pubs have suffered from significant declines in turnover and profitability. The Ham Brewery Tap has been no exception, as evidenced by the decline in sales of beer (barrelage) from 215 barrels/annum in 2015 to 174 barrels/annum in 2018. Figures for 2019 were not made available to Christies, but it is known that the business failed, with the tenant in rental arrears and having vacated early in 2020 leaving significant debts and court summonses without leaving a forwarding address.

12.13 Moreover, a Rateable Value for the Ham Brewery Tap of £23,750 suggests an historic turnover in the order of £225,000-£250,000 per annum which is marginally viable for an owner operator seeking a lifestyle business and providing a roof over his head. It is, however, insufficient to attract a multiple pub operator wishing to employ a manager. Christies' assessment is supported by the most recent 2018 barrelage figure - 174 barrels per annum, which would suggest an overall turnover of c.£190,000 net of VAT for a wet-led pub. Assuming a profit margin of 20%, this analysis indicates a residual annual sum of c.£38,000 to cover rent and profit. Consequently, Christies' assessment is that the Ham Brewery Tap is, at best, marginally viable and it would be difficult to improve the viability due to the property's unsuitability as a gastro pub with food-led trade for the reasons outlined above. Christies confirms that the results of their marketing campaign clearly demonstrate that pub operators are not interested in taking on businesses that are projected to be marginally viable – instead, they require businesses that have strong prospects of generating material and consistent levels of profitability.

Marketing and Viability Conclusions

12.14 Despite extensive marketing over a period in excess of 2 years by Christies, and over 4 years with the inclusion of AG&G's involvement, it has not been possible to secure a letting or sale to a tenant or purchaser requiring the premises for use as a public house, restaurant, café or any other community use. Christies advise prospective purchasers appear to have been put off for several reasons:

- The four public houses occupying significantly superior locations nearby are all larger and with much better actual or potential for food-led trade. In addition, the environs of south Richmond and the north Kingston provide significant numbers of pubs, restaurants and other community uses, so there is considerable competition.
- The property's Rateable Value, its recent declining trading history and Christies' assessment of marginal viability indicates that the Ham Brewery Tap has not been well supported by the local community in the past, probably because it sits between two areas of differing demographic profiles.
- In the unlikely event that the pub were to attract a tenant or purchaser continuing its use as a wet led local pub, Christies considers the business would continue to suffer from, at best, marginal viability as wet sales in the pub industry continue to decline. This would result in an inability to invest in improvements and a downward spiral of regular tenant failures followed by lengthy void periods.

- The potential for the pub to diversify into food, increase turnover, improve margins and ultimately increase profit is “illusory”. In practice, the limited size of the trading area, the lack of on-site parking, the limited outdoor seating and a lack of passing trade have dissuaded prospective purchasers and tenants from taking on the business.

12.15 By way of contrast, Christies’ extensive marketing campaign managed to generate a high-class applicant for veterinary surgery use who intends to invest significant sums on conversion and refurbishment to safeguard the building’s future, improve the integrity and visual appearance of the building within a Conservation Area, and bring a valuable new animal care facility to the area, to undoubted benefit of the local community.

Need Appraisal for Proposed Veterinary Service

- 12.16 The applicant, Douglas Dick MRCVS has also prepared a Needs Appraisal, which has been used to support his Business Plan for Ham Street Vets – see standalone Appraisal accompanying application.
- 12.17 In the appraisal, the applicant highlights the intense pressure vets across the UK and more specifically in Ham are experiencing currently, with a steep increase in the number of households with pets, triggered in part by the Covid-19 lockdowns over the past two years. This has led to unmanageable workloads for many existing practices and concerns over the availability of proper veterinary care for pets, not to mention the physical and mental health impacts on overworked surgery staff. Douglas Dick also highlights the need for an independent practice which offers Ham’s extensive residential hinterland a full surgical service locally, something that is not available at the existing small veterinary practice in Back Lane.
- 12.18 In summing up, the applicant asserts that Ham Street Vets will provide a valuable service to Ham residents which, over time, will form an integral part of the local community.

13.0 Neighbour Consultations

- 13.1 The applicant, Douglas Dick MRCVS, is aware of the local community's interest in the future of this vacant site and has hand-delivered some 40 explanatory leaflets to immediate neighbours setting out the services offered by the proposed veterinary clinic and incorporating 3D images of the planning proposals. Mr Dick very much views the proposal as providing an alternative community service to the local area.
- 13.2 Mr Dick has not received any formal feedback from neighbours yet but responses on the doorstep were very positive and he has indicated he would be happy to try and incorporate any reasonable requests or suggestions from neighbours providing they are also acceptable to the Local Planning Authority. No doubt neighbours will provide the Council with their considered views when they are formally consulted on the application.

14.0 Planning Assessment

14.1 AGA's planning assessment examines the proposed change of use and other works at 4-6 Ham Street in the context of relevant planning policy as set out in Section 5.0 of this Statement. The key issues are set out below:

- Principle of Development (Change of Use)
- Design, Appearance, Access & Heritage Impact
- Impact on Neighbours' Residential Amenity
- Biodiversity
- Energy and Sustainability
- Parking and Highways

Principle of the Development

14.2 The acceptability of the proposed conversion of the vacant Ham Brewery Tap Public House - a *Sui Generis* Local Community use to a Class E Veterinary Surgery serving the local community is assessed against two Local Plan policies in particular - *Policy LP 27 Local shops and services* and *Policy LP 28 Social and Community Infrastructure*.

14.3 With regard to Local Plan Policy *LP 27 Local shops and services*, whilst the premises originally fell within Use Class A4 (now *Sui Generis*), it is within 400 metres of both a Key Frontage and a Secondary Shopping Frontage, being 250m from the Key Frontage at 2-16 (even) Ashburnham Road and less than 150m from the Secondary Shopping Frontage at 4-14 (even) Back Lane, Ham. In his Need Appraisal, the applicant also argues that the proposed veterinary surgery use provides a community service or function which meets a defined need in the local community. Whilst there is an existing veterinary practice - part of the Goddard Veterinary Group, at 6 Back Lane, Ham, the applicant understands this Ham branch is an outlier and does not offer full in-house surgical or imagery and diagnostic capabilities to serve all the needs of patients in Ham, referring them to larger centres instead. There are no independently owned veterinary practices offering the facilities now proposed at 4-6 Ham Street in the immediate environs. In addition, with the pet population booming, the demand for veterinary care has overwhelmed the profession, with huge demand for more vet care in residential areas, including Ham.

14.4 The applicant also notes the contents of Part B to Policy LP 27 which advises the Council will resist the loss of public houses and requires satisfactory evidence of full and proper marketing in line with the requirements set out in Appendix 5 to the Local Plan for a period of at least 2 years and covering a full range of appropriate uses before accepting the loss of a public house. Explanatory paragraph 7.3.4 in the Plan further clarifies that any such proposal must provide satisfactory marketing evidence to establish that the

existing public house is not viable and include an assessment of its potential to provide alternative community services or functions. In response, the freehold owners of 4-6 Ham Street commissioned Christies & Co to prepare a document setting out the various marketing campaigns related to the Ham Brewery Tap from 21st February 2020 to date – a period of more than 2 years, and including the marketing undertaken by Christies for the previous owner of the public house – Compton London Ltd, as well as the current owners. Christies' findings are summarised in Section 12.0 of this Statement and clearly demonstrate a lack of interest from both those seeking to add a new pub to their existing chain and those hoping to set up independently. The reasons for the Ham Brewery Tap's unacceptability ranged from its small size and poor configuration to its inability to expand to increase its food offer, the lack of passing trade, the limited outdoor seating, the lack of on-site car parking, and concerns over the suitability of the local catchment area for such a use. The extensive marketing also targeted buyers interested in the full gamut of community and other uses with little success.

- 14.5 Christies' Report also examines the viability of a public house of limited size in this location, covering the key criteria identified in *the Campaign for Real Ale's (CAMRA) Public House Viability Test*. Christies notes, *inter alia*, the pub's trading history and the steady decline in beer sales (barrelage) prior to closure, as well as its low rateable value, and concludes that the Ham Brewery Tap is, at best, marginally viable as a pub and would be difficult to improve viability-wise due to the property's unsuitability as a gastro pub with food-led trade. Christies concludes that the results of their marketing campaign clearly demonstrate that pub operators are not interested in taking on opportunities that are projected to be marginally viable – they require businesses that have strong prospects of generating consistent levels of profitability and the Ham Brewery Tap does not offer this potential.
- 14.6 Paragraph 7.3.5 in the Local Plan advises that, when assessing a proposal for change of use from a public house, the Council will also consider whether there is another pub within 400 metres of the subject property. In the case of the Ham Brewery Tap, the nearest public house to 4-6 Ham Street is the much larger and very successful New Inn at 345 Petersham Road, Richmond TW10 7DB - 437m away to the east, so only marginally further than the 400m quoted in policy. In addition, the Hand & Flower (currently closed for renovation) is not much further distant at 535m and there are 2 other successful pubs – the Fox & Duck and the Anglers, within a 1,200m walk. This represents considerable competition for a small and under-capitalised public house venture at 4-6 Ham Street.
- 14.7 Paragraph 7.3.5 also states LBRUT will consider whether the proposed new use would provide a social or community service or function which outweighs the loss of the facility, meeting evidence of a local need. As advised in Section 12.0 above, the applicant has produced a paper identifying the clear

need for more veterinary clinics nationally and locally to ensure the increased number of households with pets can access the necessary veterinary care. The existing small facility in Back Lane in Ham does not meet the current need of Ham's large residential population in this regard.

- 14.8 As to Local Plan *Policy LP 28 Social and Community Infrastructure*, Part A advises that the Council will work with service providers and developers to ensure the adequate provision of community services and facilities, especially in areas where there is an identified need or shortage. Whilst not specifically identified as a community use in LBRUT planning documentation, there can be little doubt the proposed veterinary service will provide a valuable and caring service to the surrounding community and will be of a high quality, incorporating inclusive design principles and providing access for all. It would not be practicable, however, to co-locate other social infrastructure uses in the building due to the need for a sterile environment dictated by the medical services on offer.
- 14.9 With regard to Part C of *Policy LP28* which considers the loss of social or community infrastructure such as the Ham Brewery Tap, LBRUT reiterates that it will resist the loss of such uses unless any proposal can clearly demonstrate that:
- 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*
 - 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*
 - 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 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.*
- 14.10 With regard to 1., as discussed above, Christies' Marketing Appraisal with Viability Assessment concludes that the Ham Brewery Tap's small footprint and inability to extend are just two of the many factors undermining its ability to operate as a successful public house. There are also fundamental concerns in respect of its catchment area and target clientele. Whilst the pub may be able to achieve marginal viability, Christies concludes it would always be a financial struggle and their marketing campaigns clearly demonstrate there is not sufficient potential to attract either the large brewery company or the independent entrepreneur.

- 14.11 In respect of 2., Christies concludes that there are more than adequate alternative public houses in the vicinity, most notably the highly successful New Inn some 437m to the east and the Hand and Flower at 535m distance, when it re-opens after its current renovation. The Fox and Duck and The Anglers Public Houses are also within a 1,200m walk of the site. This level of competition is another of the reasons for the Ham Brewery Tap's difficulties.
- 14.12 As to 3., and the re-use or redevelopment of the site for an alternative social infrastructure use for which there is a local need, Christies has provided evidence of a full and proper marketing exercise of the site for such uses for a period of at least two consecutive years in line with the requirements set out in the appendix to the Local Plan. Unfortunately, this marketing generated very little response, with initial interest often petering out following a site visit. The one exception to the general lack of interest was the enquiry from Ham Street Vets which has progressed to this planning application.
- 14.13 Finally, Part D of *Policy LP28* advises that where the Council is satisfied that sufficient evidence has been provided to justify a change of use away from a designated social or community infrastructure use, redevelopment for another employment generating use or for affordable housing should be considered. As can be seen from this submission, the applicant argues cogently that the proposed veterinary surgery use should qualify as a community service use as it provides a much-needed medical care service to all households with pets within Ham and the surrounding area. Consequently, it is likely to become a regular "drop-in" for many locals.
- 14.14 In summary, AGA considers the applicant has demonstrated compliance with the requirements set out in *Policy LP 27 Local shops and services* and *Policy LP 28 Social and Community Infrastructure* and the principle of development, i.e. the change of use of the vacant public house to veterinary surgery, should not only be accepted in policy terms but welcomed by the Council as providing a beneficial service to the local community.

Design, Appearance, Access & Heritage Impact

- 14.15 Turning to questions of design and appearance, Part A of Local Plan Policy LP 1 - Local Character and Design Quality states that all proposals must demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance. In this instance, however, the external changes are modest, only involving the external refurbishment of the existing building with no new extensions. The external works include repainting the exterior of the property and softening the existing hard landscaping appearance with boxed hedging and trees and introducing a small area of green amenity space. As a consequence, the applicant has ensured the proposals' limited impact is compatible with the area's local

character including its relationship to existing townscape, frontages, landscaping, materials and detailing.

- 14.16 With regard to the requirements in respect of sustainable design and construction in Policy LP 1, the applicant has submitted an Energy and Sustainability Report with Sustainable Construction Checklist prepared by SRE demonstrating the proposed change of use and refurbishment will achieve a 45.68% improvement over Baseline CO2 emissions and a total Sustainable Construction Checklist score of 44, which equates to a C Rating and complies with the Council's SPD Policy.
- 14.17 As to the proposed re-organisation of the site layout, whilst the building footprint is fixed, the applicant proposes to make best use of the available open area by incorporating 3No delineated off-street carparking spaces and 4No cycle parking spaces to serve the development, together with a small grassed amenity area and prominent boxed hedging and tree planting to soften the concrete forecourt and partially screen the proposed cars. A disabled car parking space and a cycle parking space are located close to the main entrance. The design also provides access for all to the ground floor level surgery with low entrance thresholds and satisfactory turning space for wheelchair users. Adequate provision has also been made in respect of waste & recycling storage in conformance with Local Plan Policy LP 24 Waste Management.
- 14.18 Finally, Local Plan Policy LP 3 Designated Heritage Asset confirms the Council attaches great weight to the conservation of heritage assets, including Conservation Areas. However, the Heritage Impact Assessment contained in Section 7.0 of this Statement concludes that the proposed works at 4-6 Ham Street are modest in nature and will have minimal impact on the significance of the relevant Heritage Assets. Consequently, there are no heritage grounds for withholding consent for the application.
- 14.19 Overall, therefore, the proposals comply with the design, access and heritage requirements set down in Local Plan Policies LP 1 - Local Character and Design Quality, LP 3 Designated Heritage Asset and LP 24 Waste Management.

Impact on Neighbours' Residential Development

- 14.20 With regard to the potential impact of the proposed change of use from public house to veterinary surgery on residential neighbours, Local Plan Policy LP 8 - Amenity and Living Conditions confirms the Council will seek to protect adjoining properties from unreasonable loss of privacy, outlook, pollution, visual intrusion, noise and disturbance. In addition, the Council will ensure

sunlighting and daylighting levels within any converted building and surrounding properties remain satisfactory. I

- 14.21 In this instance, however, there are no changes to the external form or scale of the building or the fenestration, only cosmetic repainting of the exterior. The modestly sized condenser serving the VRF system to the ground floor surgery will also be contained within a rear lightwell to the rear of the property where it will barely audible over ambient noise levels.
- 14.22 As to the suitability and compatibility of the proposed use, the veterinary surgery will certainly be a less noisy and disruptive neighbour for nearby residents when compared the previous Public House use, although it will be open throughout the day as opposed to afternoons and evenings only for the pub use.
- 14.23 Overall, therefore, there will be no additional impact on neighbours' privacy, outlook, light pollution or visual intrusion, and it could easily be argued that levels of noise and disturbance will actually reduce as a result of the change of use – particularly in the evenings. Consequently, the new use will have minimal impact in terms of Local Plan Policy LP 8 - Amenity and Living Conditions.

Biodiversity

- 14.24 Local Plan *Policy LP 15 – Biodiversity* seeks to safeguard and enhance the Borough's biodiversity and to preserve and where possible enhance existing habitats. In this instance, however, the site's existing biodiversity is very low. There are no trees or green areas on the existing site, only a concrete apron around the two-storey building. In addition, the tiled roof which might ordinarily be expected to offer some refuge for roosting bats, is located over what was a noisy pub, so any bats would have been disturbed. In any event, no works are being undertaken to the roof. At ground level, there are some modest improvements with an area of paving slabs being lifted to accommodate a small grassed area within the former beer "garden", with hedging and trees in large box planters to the front.
- 14.25 AGA concludes, therefore, that although the measures are modest, the leaseholder applicant has done what he can to improve the site's biodiversity and landscaping appearance, as set out in Local Plan *Policies LP 15 – Biodiversity* and *LP 16 - Trees, Woodland and Landscape*.

Energy and Sustainability

- 14.26 LBRUT's approach to sustainability is set out in Local Plan Policies LP 20 - Climate Change Adaptation and Sustainable Drainage and LP 22 - Sustainable Design and Construction. Whilst the proposed change of use

does not involve any new build, the applicant has complied with the requirements set out in these policies by commissioning SRE to prepare an Energy and Sustainability Statement and complete the Council's Sustainable Construction Checklist *pro forma*. The report findings confirm the proposed heating and cooling system, which includes an Air Source Heat Pump, conforms to current policy in respect of energy performance, CO2 emissions & the latest Building Regulations. In addition, completion of LBRUT's Sustainable Construction Checklist *pro forma* results in a score of 44 which equates to a C Rating and meets the Council's requirements as set out in their SPD.

- 14.27 Therefore, SRE successfully demonstrates that the proposals are in line with current LBRUT policy in respect of energy and sustainability.

Transportation and Parking

- 14.28 ADL Traffic's analysis of the site confirms a low PTAL rating of 1b, meaning an element of off-street and/or on-street car parking is required to serve the proposed change of use from Public House to veterinary surgery. However, the site does benefit from being situated within walking and cycling distance of Ham and the surrounding areas and this is highly relevant as the proposed veterinary practice is intended to serve the immediate and nearby catchment of Ham which is entirely situated within a 1-mile radius of the site.
- 14.29 Local Plan Policy LP 45 - Parking Standards and Servicing and Appendix 3 and the London Plan confirm that, for clinics and surgeries in areas with a PTAL of 0-3, 1 car parking space should be provided per consulting room, so 3 car parking spaces are required to serve this veterinary practice. The proposal meets this standard by providing 3 delineated spaces - 1 space for Staff/Residential use only and the other two for customer parking. The customer space nearest the main entrance to the surgery will also be disabled accessible and ADL has demonstrated it will be possible to access and exit this space and the other customer parking space in forward gear. There are also ample informal car parking opportunities immediately to the southeast of the site if additional on-street carparking should be required even though the veterinary surgery will encourage trips predominantly by walking and cycling.
- 14.30 In respect of cycling, one short-stay cycle parking space located close to the main entrance and 3No long-stay cycle spaces within a secure shed also meets policy requirements.
- 14.31 As to traffic impact, ADL considers this will be negligible, with a significant reduction in vehicle trips between midday and the evening compared to the previous Public House use.

14.32 Consequently, AGA concludes the proposed development meets the tests and set out in Local Plan Policies LP 44 - Sustainable Travel Choices and LP 45 - Parking Standards and Servicing and the car and cycle parking standards contained in the Appendices to the Local Plan and London Plan.

Overall Policy Assessment

14.33 Overall, AGA concludes that the submission provides adequate marketing and viability evidence to justify the loss of the public house use, and sufficient evidence in terms of need to support its replacement with a full-service veterinary surgery. In these respects, and in the other areas considered above, the proposal fully complies with current Local Plan policy.

15.0 Conclusions & Recommendations

15.1 AGA concludes that the proposed change of use and external refurbishment works at 4-6 Ham Street offer the best opportunity to secure the future of the site and provide a useful service to the local community. Specifically:

- The proposed veterinary surgery addresses the need for a full vet service in Ham and its immediate environs and will result in the creation of 5 full time jobs.
- With the property currently vacant, the proposed surgery will provide a pet care service to a large section of the local community, offsetting the loss of the public house community use.
- Christies & Co has provided clear marketing and viability evidence demonstrating the former Ham Brewery Tap was losing trade year on year and was no longer a viable proposition when it closed in early 2020. Examination of the property's potential to expand to become, say, a food-led pub, and thus improve its profitability shows options are severely limited due to site size, building configuration and location, not to mention the substantial competition from other very successful pubs in the vicinity. At best, and with substantial investment, Christies considers a re-vamped public house in this location may achieve marginal viability, but this is insufficient to convince pub chains, independent landlords or investors that it is a worthwhile proposition.
- The proposed development retains the 3 bedroom staff flat on the first floor, addressing LBRUT policy which seeks to avoid the loss of residential units.
- The proposed external refurbishment with new paintwork and hard & soft landscaping improves the appearance, and secures the future, of a characterful building located in a key entrance gateway to Ham Common. A Heritage Impact Assessment also confirms it maintains the character and appearance of Ham Common Conservation Area No.7 and Ham House Conservation Area No.23 and does not, therefore, harm the significance of any heritage assets.
- The site is in Flood Zone 1 - an area with a very low probability of fluvial flooding and a low-risk of surface water or flash flooding.
- The proposed site layout can accommodate 3No off-street carparking, one of which is capable of being utilised by disabled drivers, plus 4No cycle spaces; thus meeting the parking standards set out in the current Local Plan and London Plan for a veterinary surgery with 3 consulting rooms.

The proposed layout also demonstrates sufficient room for cars using the 2 customer spaces to enter and exit the site in forward gear.

- An appropriately sized refuse and recycling store for the veterinary surgery and the 3 bedroom staff flat is located against a side boundary wall.
- The proposed surgery with staff flat above complies with current fire safety requirements for a building of this size and mix of uses.
- Finally, the applicant has provided the requisite Energy and Sustainability Statement confirming the proposed energy system - Variable Refrigerant Flow (VRF) with an Air Source Heat Pump, conforms to current policy in respect of energy performance, CO2 emissions & the latest Building Regulations. In addition, completion of LBRUT's Sustainable Construction Checklist *pro forma* indicates the change of use meets the Council's current sustainability requirements for non-residential developments.

15.2 Overall, AGA concludes that the proposed conversion and external refurbishment of the vacant public house to provide a veterinary surgery, whilst retaining the first-floor staff flat, conforms to Council policy and will result in improved healthcare for pets within the area and a useful meeting point for pet owners.

15.3 The applicant trusts the Council will recognise the planning merits of the proposal and will grant approval for the change of use in due course. In the meantime, AGA looks forward to discussing the matter further with officers and members over the coming weeks.