

Application reference: 23/1471/GPD26
HAMPTON WICK AND SOUTH TEDDINGTON WARD

Date application received	Date made valid	Target report date	8 Week date
30.05.2023	01.06.2023	27.07.2023	27.07.2023

Site:

12 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS

Proposal:

Change of use and addition of mezzanine floor to create 5 residential units

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

APPLICANT NAME

C/O The Agent
Warner Planning
Office 2, 13 Bodmin Place
Milton Keynes
MK10 7DP
UK

AGENT NAME

Mr Joseph Hall
Office 2
13 Bodmin Place
Milton Keynes
MK10 7DP

DC Site Notice: printed on 02.06.2023 and posted on 09.06.2023 and due to expire on 30.06.2023

Consultations:

Internal/External:

Consultee

14D Urban D
14D POL
LBRUT Transport

Expiry Date

16.06.2023
16.06.2023
16.06.2023

Neighbours:

27 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS, - 02.06.2023
Honey Bee, 1B School Lane, Kingston Upon Thames, KT1 4DF, - 02.06.2023
31 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS, -
14 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS, - 02.06.2023
1C School Lane, Kingston Upon Thames, KT1 4DF, - 02.06.2023
29 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS, - 02.06.2023
25 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS, - 02.06.2023
23 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS, - 02.06.2023
Chase Lodge Hotel, 10 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS, - 02.06.2023

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

Development Management

Status: PCO Application: 88/2648/FUL
Date: 18/01/1989 Erection Of Fire Escape

Development Management

Status: GTD Application: 88/2648
Date: 17/01/1989 Erection of fire escape.

Development Management

Status: REF Application: 58/0057
Date: 26/02/1958 Use of the ground floor for wholesale confectionery business (storage and

dispatch) and the use of the first floor for storage or office accommodation or a private dance hall.

<u>Development Management</u> Status: GTD Date:23/04/1958	Application:58/0131 Use as a non-residential club.
<u>Development Management</u> Status: REF Date:28/08/1958	Application:58/0534 Use as office, warehouse and caretakers accommodation.
<u>Development Management</u> Status: GTD Date:09/12/1969	Application:69/1955 Use of premises for nursery playgroup purposes.
<u>Development Management</u> Status: GTD Date:15/03/1971	Application:71/0061 Continuation of use of premises as Creative Play Centre.
<u>Development Management</u> Status: ARPR Date:15/10/2021	Application:21/3155/GPD26 Change of use of a dance studio (Class E) into four flats (Class C3)
<u>Development Management</u> Status: AAPR Date:10/01/2022	Application:21/3859/GPD26 Change of use of a dance studio (Class E) into four flats (Class C3)
<u>Development Management</u> Status: GTD Date:30/05/2022	Application:22/0964/FUL Installation of New Rooflights
<u>Development Management</u> Status: WDN Date:28/09/2022	Application:22/2272/GPD26 Addition of a Mezzanine Floor to Create 5 Residential Units
<u>Development Management</u> Status: AAPR Date:23/01/2023	Application:22/3652/GPD26 Addition of mezzanine floor to create 5 residential units.
<u>Development Management</u> Status: REF Date:05/07/2023	Application:23/0360/FUL Alteration, establishment and replacement of external doors and windows and establishment of terraces for residential use (as approved under 22/3652/GPD26) at 12 Park Road, Hampton Wick, KT1 4AS..
<u>Development Management</u> Status: PCO Date:	Application:23/1471/GPD26 Change of use and addition of mezzanine floor to create 5 residential units

Building Control

Deposit Date: 10.11.2008 Internal lower ground floor alterations
Reference: 08/2264/BN

Building Control

Deposit Date: 12.12.2022 Conversion of existing building into 5 self-contained flats
Reference: 22/2067/IN

Enforcement

Opened Date: 22.05.2017 Enforcement Enquiry
Reference: 17/0251/EN/UCU

Application Number: 23/1471/GPD26

Address: 12 Park Road, Hampton Wick, Kingston Upon Thames KT1 4AS

Proposal

The proposal relates to the conversion of the roof space to create a mezzanine floor level to facilitate the conversion of the building into 5 residential units.

This follows previous permission (21/3859/GPD26) for a change of use from dance studio to 4 flats and permission (22/3652/GPD26) for a change of use and addition of a mezzanine floor to create 5 flats.

There are no changes to the external areas of the site as part of the proposed works.

Site Description

The application site is located on the corner between Park Road and School Road. It is occupied by a two storey building which was most recently used as a dance studio. The surrounding area is mixed use in character, and is located adjacent to Chase Lodge which is an 8 room hotel on Park Rd.

The application site is located in the Hampton Wick Conservation Area (CA18) and relates to a Building of Townscape Merit (BTM). The site is also noted to be in an Archaeological Priority Area and a Mixed Use Area. Finally, the site is within Floodzone 1 and is not listed as being potentially contaminated.

Planning History (recent/relevant)

23/0360/FUL – Alteration, establishment and replacement of external doors and windows and establishment of terraces for residential use (as approved under 22/3652/GPD26) at 12 Park Road, Hampton Wick, KT1 4AS – Refused 05/07/2023

22/3652/GPD26 – Addition of mezzanine floor to create 5 residential units – Granted 23/01/2023

22/2272/GPD26 – Addition of a mezzanine floor to create 5 residential units – Withdrawn.

22/0964/FUL – Installation of new rooflights – Granted 30/05/2022

21/3859/GPD26 – Change of use of a dance studio (Class E) into four flats (Class C3) – Approved 07/01/2022

21/3155/GPD26 – Change of use of a dance studio (Class E) into four flats (Class C3) – Refused 15/10/2021 for the following reason:

- In view of the above, the scheme submitted under this prior approval fails to comply with the requirements set out in Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). In particular, it does not accord with part MA.1(b) as the existing site relates to a dance studio which does not fall under Class E as per the list shown in subparagraph 2. Furthermore, it does not accord with part MA.2(1)(i) as no information has been submitted regarding the fire safety impacts on the intended occupants of the building.

88/2648 - Erection of fire escape – Refused 17/01/1989

71/0061 – Continuation of use of premises as Creative Play Centre – Granted permission 15/03/1971

Representations

Consultation letters were sent out to surrounding properties to advertise the application. Objections were received from 2 and the reasons are summarised as follows:

- This is effectively an identical application to the previous application (ref. 22/3652/GPD26)
- Layout & density of building/over-development – acknowledging the high ceilings on the first floor, the proposal to add a two-bedroom flat into this space is simply over-development of the property.
- Effect on Conservation Area - the supporting materials refer to the presence of three-storey properties within Hampton Wick Conservation Area with a defining feature being the 'tight' relationship to the pavement. There are only two other properties on Park Road with a third storey in the roof space, both are single dwellings; neither are two-bedroom self-contained flats; or 'tight' to the pavement (both have front garden areas). The proposal is therefore not in keeping with the character of the Conversation Area in Park Road
- Overlooking/loss of privacy – the roof terraces look directly down onto properties in School Road, School Lane and Park Road. Furthermore, the private courtyard at the rear of the property will be impacted severely by the loss of privacy & overlooking of the living rooms & bedrooms of the two rear flats. This has not been taken into consideration and not acknowledged in any supporting materials.
- Overpowering – proposal for 5 flats represents overdevelopment.
- External appearance - despite the prior approval application stating "No external changes", the developer has declared (ref: 23/0360/FUL) the intention to change windows on the ground floor into French doors, to add doors at roof level to access new roof terraces, and to add an additional door for a bin store at street level. The developer's approach to planning is inconsistent enough to appear dishonest and this undermines confidence as nearby affected residents.
- Various questions raised about the fire safety aspects of the application.

Officer comment – In relation to point 5, the proposal does not involve roof terraces which were assessed under a previous application (23/0360/FUL).

Internal consultations

Transport – No objections, comments discussed below

Urban Design – No external changes, therefore no comment

Policy – No comments received.

Amendments.

No amendments requested or received.

Professional Comments

The application is for a Prior Approval and as such will be assessed under Part 3 – Changes of Use, Class MA 'Commercial, Business and Service Uses to Dwellinghouses' contained within the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Class MA

The scheme is considered to meet the required for prior approval to be granted under Class MA 'Commercial, Business and Service Uses to Dwellinghouses'.

MA.1 Development is not permitted by Class MA—	Officer's Comment:
1(a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval	Complies (as confirmed in submitted planning report)
(b) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a	Complies

continuous period of at least 2 years prior to the date of the application for prior approval	
(c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;	Complies
(d) if land covered by, or within the curtilage of, the building— (i) is or forms part of a site of special scientific interest; (ii) is or forms part of a listed building or land within its curtilage; (iii) is or forms part of a scheduled monument or land within its curtilage; (iv) is or forms part of a safety hazard area; or (v) is or forms part of a military explosives storage area;	Complies
(e) if the building is within- (i) an area of outstanding natural beauty; (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981; (iii) the Broads; (iv) a National Park; or (v) a World Heritage Site;	Complies
(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or	N/A
(g) before 1 August 2022, if— (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.	Complies The proposed change of use for this application is not classified as Class O as the existing building was not used as an office (Class B1(a)), but as a dance studio
(2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order— (a) the following classes of the Schedule as it had effect before 1st September 2020— (i) Class A1 (shops); (ii) Class A2 (financial and professional services); (iii) Class A3 (food and drink); (iv) Class B1 (business); (v) Class D1(a) (non-residential institutions – medical or health services); (vi) Class D1(b) (non-residential institutions – crèche, day nursery or day centre); (vii) Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;	
(b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.	

MA.2 Development under Class MA is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

1.a Transport impacts of the development, particularly to ensure safe site access

Policy LP45 of the Local Plan (2018) requires new schemes to provide an appropriate level of off-street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions. It advises that developers can only provide fewer parking spaces, including car free schemes, if they can show that here would be no adverse impact on amenity, street scene, road safety or emergency access in the surrounding area and in general it is expected that in PTAL Area of 1-4 the standards should be met.

The site has a PTAL score of 3 which indicates moderate levels of public transport accessibility. It is also in Controlled Parking Zone X, providing residents parking at all times. The site has extant permission to change use from Class F to 5 x 1-bed flats. As part of this permission, a condition was applied requiring the applicant entered into an agreement whereby all occupants of the site would be excluded from obtaining permits within any controlled parking zone in the Borough to mitigate the possible impact of the development on overspill parking on nearby streets, and on highway safety and amenity (see 22/3652/GPD26). The Council's Transport Officer confirmed they have no objection to the current proposal, subject to the agreement being replicated as part of this prior approval.

For the 5 dwellings, the applicant proposes a secure refuse and recycling bin store off-street which needs to accommodate 780l refuse, 2 x 360l recycling bins for recycling and 5 x 23 litre food waste containers in accordance with Richmond's Supplementary Planning Guidance. Refuse and recycling would be serviced for collection on Park Road, as is the case with neighbouring properties.

The applicant has demonstrated that they can provide parking for 9 x bikes within the curtilage of the site. As such, they have demonstrated that they can meet the minimum standard set out in the London Plan (2021).

The applicant will build a new mezzanine floor to accommodate 1 x new flat, so will need to place scaffolding on the highway and will need to suspend CPZ parking bays to allow construction vehicles to load and unload. Therefore, the applicants need to provide a construction management plan. This can be secured by a condition as part of any approval.

In light of the above, the proposal is considered acceptable in terms of transport and highway impacts.

1.b Contamination risks in relation to the building

The Council's Environmental Health officer reviewed the application and raised no objections to the application.

The site is not listed as being potentially contaminated on Council records, and from a review of the site's history, a condition would not be considered necessary in this instance.

1.c Flooding risks to the building

Policy LP21 covers Flood Risk and states that all development should avoid contributing to all sources of flooding. The policy also states that there are no land use restrictions for development within Flood Zone 1. No objections were raised to the previous change of use permissions with regard to flooding, and therefore no objections are considered to be warranted for the current application due to its similarity with those scheme.

1.d Impacts of noise from commercial premises on the intended occupiers of the development

The area surrounding the application site is well established in terms of residential uses, along with being adjacent to Chase Lodge which is a small 8 room hotel on Park Rd. As such there are no concerns raised in relation to reverse sensitivity. No objections were raised to the previous change of use permissions with regard to noise, and therefore no objections are considered to be warranted for the current application due to its similarity with those scheme.

1.e The impact of that change of use on the character or sustainability of the conservation area (where the building is located in a conservation area and the development involves a change of use of the whole or part of the ground floor)

The site is located in the Hampton Wick Conservation Area (CA18). The Council's Urban Design team were consulted and raised no concerns given the proposal would not involve any external changes. In light of this, no objections are raised to the proposal.

1.f the provision of adequate natural light in all habitable rooms of the dwellinghouses

The submitted floor plans illustrate that each bedroom and living area benefits from windows of adequate size to ensure the adequate provision of light to the rooms. This includes rooflights to the mezzanine floor.

A Sunlight and Daylight report by eb7 has been submitted with the application and provides an assessment of the proposed mezzanine floor unit which contains rooflights as its source of lighting. The report concludes that the three proposed habitable rooms achieve sunlight and daylight illuminance levels that exceed the recommended targets and are therefore in accordance with the BRE guidelines. The report relates to the previous permissions (22/3652/GPD26) and therefore its results cannot be fully relied upon, however the current layout is similar in that each of the habitable rooms of the rooms benefit from at least one rooflight.

Given the results of this report and the extant prior approval on the site, the proposal is considered to provide adequate natural light in all habitable rooms proposed under this application.

1.g the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses

There are no heavy industry, waste management, storage and distribution, or other such mix of uses in the area.

1.h the impact on the local provision of the type of services loss where the development involves the loss of services provided by a registered nursery, or a health centre maintained under section 2 or 3 of the National Health Service Act 20065

Not relevant.

1.i where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

The proposal triggers the fire safety condition in part MA.3 as it involves more than 2 units.

The applicant has appointed a fire protection consultant who has prepared a fire safety design note, dated 22 June 2023. These discussions and recommendations include comments around means of fire detection, means of escape, escape from common areas, exit widths, escape staircase design, final exit, and ancillary accommodation. The applicant intends to adopt these recommendations and has shown some of those changes within the proposed floor plans.

In light of the above, the applicant has addressed the fire safety impacts on the intended occupants of the building and therefore no further objections are raised on this basis.

Conclusions

In view of the above, the scheme submitted under this prior approval fall within the criteria set out in Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES / ~~NO~~

I therefore recommend the following:

- 1. ~~REFUSAL~~
- 2. PERMISSION
- 3. ~~FORWARD TO COMMITTEE~~

This application is CIL liable YES* NO
 (*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement YES* NO
 (*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file) YES NO

This application has representations on file YES NO

Case Officer (Initials):TFA..... Dated:17/07/2023.....

I agree the recommendation: CTA

Team Leader/Head of Development Management/Principal Planner

Dated:17/07/2023.....

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

Head of Development Management:

Dated:

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

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

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES
