



LONDON BOROUGH OF  
RICHMOND UPON THAMES

ENVIRONMENT DIRECTORATE

PLANNING REPORT

Printed for officer by

Emer Costello on 26 January 2022

## Application reference: 21/4038/FUL HAMPTON WICK WARD

Date application received	Date made valid	Target report date	8 Week date
24.11.2021	13.12.2021	07.02.2022	07.02.2022

### Site:

The Old Kings Head, Hampton Court Road, Hampton Wick, Kingston Upon Thames

### Proposal:

Change of use of ground floor and basement of the former Old Kings Head public house to a Mixed Use **Community Cycle Hub Comprising Café (Use Class E(b)), Training Area (Use Class F2(b)) and Treatment Room/Medical (Use Class E(e))** and 1No. 1-bedroom apartment. Alterations and conversion of the first and second floors to replace existing staff accommodation with 3No. 2-bedroom apartments. External Alterations to include the replacement of French doors with balconies and a roof terrace on the first floor western and southern elevations, the installation of 2 no. conservation-style rooflights on the southern and western roof slopes and a bike enclosure to the rear at ground floor.

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

### APPLICANT NAME

Mr Andre Jason  
Suite 48, Nicholson House  
41 Thames Street  
Weybridge  
KT13 8JG  
United Kingdom

### AGENT NAME

Nigel Gilmore  
Caerleon  
Old Church Road, Mawnan  
Falmouth  
TR11 5HX  
United Kingdom

**DC Site Notice:** printed on 13.12.2021 and posted on 24.12.2021 and due to expire on 14.01.2022

### Consultations:

#### Internal/External:

#### Consultee

14D POL  
LBRUT Transport  
21D Urban D  
The Royal Parks  
LBRuT Trees Preservation Officer (North)  
LBRuT Ecology  
LBRuT Lead Local Flood Authority  
LBRUT Environmental Health

#### Expiry Date

27.12.2021  
27.12.2021  
03.01.2022  
03.01.2022  
27.12.2021  
27.12.2021  
01.02.2022  
01.02.2022

### Neighbours:

Flat 3, Sheen Garden House, Upper Richmond Road West, East Sheen, London, SW14 7PA -  
2 Hampton Court Palace, E molesey, Kt8 9as -  
164 Upper Richmond Road West, East Sheen, London, SW14 8AW -  
46 GUILFORD AVENUE, SURBITON, KT5 8DQ -  
10 Woodman Mews, Richmond, TW9 4AH -  
17 MILNER ROAD, KINGSTON UPON THAMES, KT1 2AU -  
1 MONACHUS ROW, HARTLEY WINTNEY, HOOK, RG27 8DA -

Flat 11,63 Ormond Avenue,Hampton,TW12 2RY -  
2,ALMA COURT,ALMA ROAD,ETON WICK,WINDSOR,SL4 6LA -  
56 Church Road,Teddington,TW11 8EY -  
19 HAZLEMERE GARDENS,WORCESTER PARK,KT4 8AH -  
18 Grove Park Terrace,London,W43QG -  
,,KT1 4AE -  
94 ARMAGH ROAD,LONDON,E3 2HT -  
19,SOUTH BANK LODGE,SOUTH BANK,SURBITON,KT6 6DA -  
37 Cromwell Road,Teddington,TW11 9EL -  
Second Floor Flat 2H Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3E Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1A Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Fourth Floor Flat 4A Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Fifth Floor Flat 5A Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3C Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat A Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Fifth Floor Flat 5D Room 6,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1A Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1B Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1F Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1H Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Ground Floor Flat 0D Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Ground Floor Flat 0B Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Ground Floor Flat 0C Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Fourth Floor Flat 4C Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Ground Floor Flat 0B Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2B Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2G Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3C Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3D Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3F Room 7,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6D Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3A Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1A Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon  
Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1C Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon



Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3H Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6D Room 6,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3A Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1C Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1G Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1G Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1G Room 6,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fourth Floor Flat 4D Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fourth Floor Flat 4A Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fourth Floor Flat 4A Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3F Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2C Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2G Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6A Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6D Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3A Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fifth Floor Flat 5B Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fifth Floor Flat 5B Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fifth Floor Flat 5D Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1F Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1G Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fourth Floor Flat 4D Room 6,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2B Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2E Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2G Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3D Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3F Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3G Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6A Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6B Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon

Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6C Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1E Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1F Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1G Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fourth Floor Flat 4A Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fifth Floor Flat 5A Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fifth Floor Flat 5B Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3E Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3F Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fifth Floor Flat 5D Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2D Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2D Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2F Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6B Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6C Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3A Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fifth Floor Flat 5C Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1C Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Ground Floor Flat 0A Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Ground Floor Flat 0A Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Ground Floor Flat 0C Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Ground Floor Flat 0C Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Ground Floor Flat 0B Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2C Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3G Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
14 CRANES PARK,SURBITON,KT5 8AD -  
Third Floor Flat 3H Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6C Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6D Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Third Floor Flat 3A Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021



Third Floor Flat 3G Room 6,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Sixth Floor Flat 6B Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Third Floor Flat 3B Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Sixth Floor Flat 6B Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4DE, - 13.12.2021

First Floor Flat 1A Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

First Floor Flat 1F Room 6,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Fourth Floor Flat 4B Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Fifth Floor Flat 5A Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Third Floor Flat 3D Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Third Floor Flat 3E Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Fifth Floor Flat 5C Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Second Floor Flat 2E Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Sixth Floor Flat 6D Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Fifth Floor Flat 5C Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Fourth Floor Flat 4D Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Second Floor Flat 2A Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Second Floor Flat 2E Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Second Floor Flat 2H Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Second Floor Flat 2H Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Second Floor Flat 2H Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Third Floor Flat 3E Room 6,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Third Floor Flat 3H Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Sixth Floor Flat 6A Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

First Floor Flat 1B Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

First Floor Flat 1B Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

First Floor Flat 1C Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

First Floor Flat 1E Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

First Floor Flat 1F Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

First Floor Flat 1H Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021

Fifth Floor Flat 5B Room 2,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021





Sixth Floor Flat 6C Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Sixth Floor Flat 6D Room 4,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1C Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1D Room 6,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1E Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
First Floor Flat 1H Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Ground Floor Flat 0D Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Fern Glen,Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
The Old Kings Head,Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
Flat 7,9 Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
Flat 6,9 Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, -  
Flat 5,9 Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
Flat 4,9 Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
Flat 3,9 Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
Flat 2,9 Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
Flat 1,9 Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
7 Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
5 Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
11 Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
The Gate House,Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
Kingston Gate Lodge,Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
3 Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
Home Park House,Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
Kings Field Pavilion,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4ET, - 13.12.2021  
Bank House,1 - 3 High Street,Hampton Wick,Hampton,KT1 4DS, - 13.12.2021  
Old Kings Head,Hampton Court Road,Hampton Wick,Kingston Upon Thames,KT1 4AE, - 13.12.2021  
11 Alexandra Road,Chiswu,W4 1AX -  
145 Gleneagle Road,London,SW16 6AZ -  
3 WINSHAM GROVE,LONDON,SW11 6NB -  
Fourth Floor Flat 4D Room 3,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2C Room 5,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2E Room 6,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2F Room 7,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2G Room 6,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
Second Floor Flat 2H Room 1,Kingston Bridge House,Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AG, - 13.12.2021  
6 Shrewsbury Avenue,East Sheen,London,SW14 8JZ -  
71 CRAVEN GARDENS,WIMBLEDON,LONDON,SW19 8LU -  
38 Eastbourne Gardens,East Sheen,London,SW14 7NH -  
61 BONNER HILL ROAD,KINGSTON UPON THAMES,KT1 3EU -  
37 - 43 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA -

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

Development Management

Status: REF Application:05/1155/FUL  
Date:28/06/2005 Replacement of second floor bedroom, and lounge windows

---

Development Management

Status: WNA Application:07/3767/CAC  
Date:06/03/2008 Demolition of gate area

---

Development Management

Status: PCO Application:21/4038/FUL  
Date: Change of use of ground floor of the former Old Kings Head public house to a community cycle hub and cafe and 1 bed apartment, and alterations of the first and second floor to replace the existing staff accommodation with three 2 bedroom apartments. The replacement of French doors with balconies and the creation of a roof terrace on the first floor western and southern elevation, and the installation of 2 no. conservation-style rooflights southern and western roof slopes

---

**Recommendation:**

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

**I therefore recommend the following:**

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

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

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

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

This application has representations on file  YES  NO

Case Officer (Initials): EC

Dated: 04.04.22

**I agree the recommendation: CTA**

Team Leader/Head of Development Management/Principal Planner

Dated: .....12/07/2022.....

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: .....

<b>REASONS:</b>
<b>CONDITIONS:</b>
<b>INFORMATIVES:</b>
<b>UDP POLICIES:</b>
<b>OTHER POLICIES:</b>

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

<b>Application Number</b>	21/4038/FUL
<b>Address</b>	The Old Kings Head, Hampton Court Road, Hampton Wick, Kingston Upon Thames
<b>Proposal</b>	Change of use of ground floor and basement of the former Old Kings Head public house to a Mixed Use <b>Community Cycle Hub Comprising Café (Use Class E(b)), Training Area (Use Class F2(b)) and Treatment Room/Medical (Use Class E(e))</b> and 1No. 1-bedroom apartment. Alterations and conversion of the first and second floors to replace existing staff accommodation with 3No. 2-bedroom apartments. External Alterations to include the replacement of French doors with balconies and a roof terrace on the first floor western and southern elevations, the installation of 2 no. conservation-style rooflights on the southern and western roof slopes and a bike enclosure to the rear at ground floor.
<b>Contact Officer</b>	Emer Costello
<b>Target Determination Date</b>	07/02/2022

## 1. INTRODUCTION

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

Before preparing this summary report the planning officer considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

By indicating that the development proposal does not comply with relevant Local Plan Policies, the planning officer has considered the information submitted with the application, any previous relevant applications, any comments received in connection with the application and any other case specific considerations which are material to the decision.

## 2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The Kings Head public house is located on the southern side of Hampton Court Road. The site is adjacent to Hampton Court Park (Home Park) gateway entrance to the east. The junction at Home Park Parade lies to the east connecting Hampton Court Road with the High Street and Kingston Bridge.

The site’s current consented use was established via an application for a Certificate of Existing Lawful Use ref: 04/0321/ES191 - ‘Establish Use As Public House To Ground Floor With Residential Accommodation To First And Second Floors For Public House Manager which was Granted Permission on 12/02/2004.

The Public House and staff accommodation are currently vacant. The site is in Hampton Wick Village in the Hampton Wick Ward. The application site is designated as:

- Archaeological Priority (English Heritage)
- Area of Mixed Use Hampton Wick
- Article 4 Direction Basements
- Building of Townscape Merit Site: Old Kings Head Hampton Court Road
- Conservation Area CA18 Hampton Wick
- Floodzone 2
- Floodzone 3
- Floodzone 3a
- Listed Building Grade: II Site: Wall Running Along Hampton Court Rd
- Metropolitan Open Land - Hampton Court - MOL - LP 13
- Other Site Of Nature Importance - HAMPTON COURT
- Thames Policy Area
- Hampton Wick Village Character Area 11

**3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

Proposal - Change of use of ground floor of the former Old Kings Head public house to a community cycle hub and cafe and 1 bed apartment, and alterations of the first and second floor to replace the existing staff accommodation with three 2 bedroom apartments. The replacement of French doors with balconies and the creation of a roof terrace on the first floor western and southern elevation, and the installation of 2 no. conservation-style rooflights southern and western roof slopes.

Planning history - 19/0357/FUL - Replacement French doors with balconies/ create of roof terrace on first floor western and southern elevation, installation of 2 no. conservation-style rooflights southern and western roof slopes to facilitate the conversion of public house with staff accommodation into 1x commercial unit in A2 Use and 4 no. 2 bed flats. New access gates and associated refuse store. - Refused Permission on 25/02/2020 - Appeal Dismissed on 11/02/2021

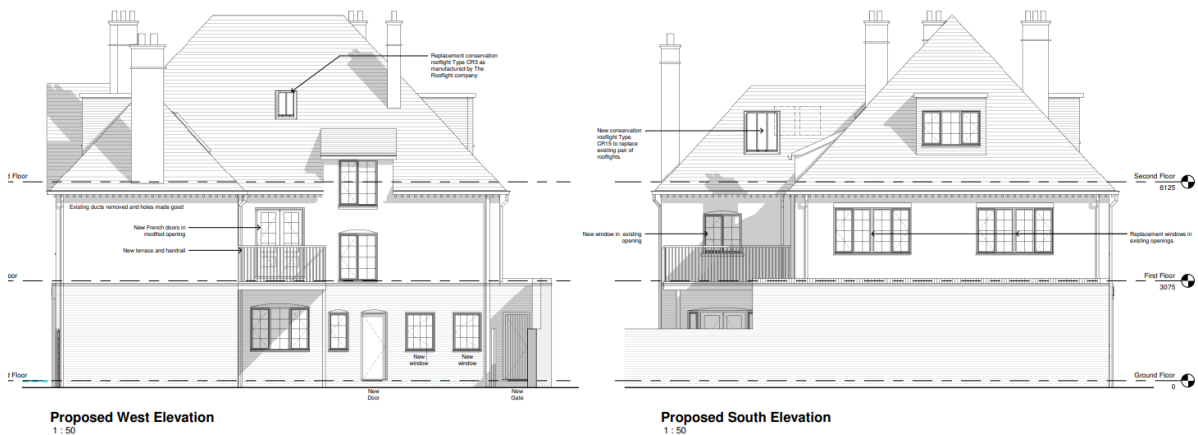


Figure 1. Proposed West and South Elevation

Reasons for Refusal

**U0077842 Refusal -Change of Use/Marketing**

Insufficient evidence has been provided to demonstrate that the site has been marketed for its potential to accommodate a future A4 pub use and/or alternative social infrastructure uses for a minimum period of 2-years. As such the proposal fails to meet the marketing criteria set under policies LP 27, LP28 and supporting Appendix 5 in respect to the proposed change of use from A4 to A2 of the London Borough of Richmond Upon Thames Local Plan 2018.

**U0077845 Refusal - Housing Mix**

The housing mix of 2, 2 bedroom units is inappropriate in the Hampton Wick Area of Mixed Use. This fails to accord with The Local Plan (2018) Policy LP35 and supporting housing evidence set out in the borough's latest SHMA.

**U0077844 Refusal - Sustainability**

The application has failed to demonstrate that it meets the Council's standards in terms of energy efficiency and sustainability. The application was not supported by an Energy Statement or a Sustainable Construction Checklist which is a policy requirement. Details of the proposal's performance in terms of CO2 reduction, BREEAM and water saving have not been provided contrary to Policy LP22 of the Local Plan (2018).

**U0077843 Biodiversity**

Insufficient evidence has been provided to adequately demonstrate that the development would not generate harm to local biodiversity, in particular bats species in proximity to the application site as well as whether the proposal would be capable of demonstrating a biodiversity net gain. The proposal would therefore be contrary to Paragraph 170 of the NPPF and LP15 of the Local Plan (2018).

Inspector's Report

**Change of Use/Marketing**

In the absence of such 'full and proper' marketing evidence, it has not been demonstrated that the appeal proposal would accord with these policies. These conflicts would weigh against the appeal proposal.

**Housing Mix**

No substantive evidence has been provided to justify the provision of the larger units in the context of those priority housing needs. Neither has such evidence been submitted that would demonstrate that the provision of a viable scheme comprising single bedroomed units could not be achieved unless incurring harm. For these reasons, it has not been demonstrated that the appeal proposal would contribute to the area's identified priority housing needs, with particular regard to housing mix.

**Sustainability**

It has not been demonstrated that the appeal proposal would represent sustainable construction, with particular regard to reducing CO2 and securing energy and water efficiency.

**Biodiversity**

The Council has confirmed that the submitted biodiversity evidence would overcome their fourth reason for refusal, subject to the imposition of planning conditions. There is no evidence that would lead me to a different conclusion. Those conditions would be necessary and would meet the prescribed tests. The appeal proposal would accord with Policy LP15 of the Local Plan in this regard.

10/3773/PS192 Permission	Replacement windows of same type as existing 14/06/2011	Granted
-----------------------------	--	---------

05/1155/FUL Refused Permission	Replacement of second floor bedroom, and lounge windows 23/06/2005
-----------------------------------	---

#### Officer Report - Reason for Refusal

The proposed replacement windows by reason of their design, profile, materials and detailing would have a detrimental effect on the appearance of this prominently located building, detracting in particular from the Building of Townscape Merit and thereby failing to enhance or preserve the appearance and character of this part of the Hampton Wick Conservation Area. The proposal is thereby contrary to policies BLT 2, 4 and 11 of the Richmond Upon Thames Unitary Development Plan - First Review 2005.

04/0321/ES191 Establish Use as Public House To Ground Floor With Residential Accommodation To First And Second Floors For Public House Manager Granted Permission 12/02/2004

85/1443 Elevational alterations involving removal of existing lobby and closure of access; installation of windows and reformation of new entrance. Granted Permission 21/11/1985

68/0778/ADV For Advertisements. Granted Permission 11/06/1968

58/0795 Conversion of living room into garage and provision of vehicular access. Granted Permission 28/11/1958

47/2891 The erection of garage and bottle store. Granted Permission 20/12/1951

It is also noted that Pre-Application Advice with reference 21/P0090/PREAPP was obtained in 02 August 2021.

#### Planning History - Related Premises

It is noted that the applicant has also opened a similar Cycle Hub site in East Sheen – 135 Sheen Lane. The below consent relates:

19/0407/FUL Change of use from Sui-Generis (Tanning Salon) to A1/D1/D2 (Retail/Sports Treatments/Yoga Classes) which was granted permission on 25/04/2019.

This site is designated as a secondary shopping frontage in the Main Centre of East Sheen. As the existing use was (Sui Generis) it was not considered that the proposal would result in an unacceptable loss of A1 floorspace.

#### **4. CONSULTATIONS CARRIED OUT**

The list of neighbours notified of this application are listed above. No 3 Hampton Court Road is sited adjacent to the west. Home House, The Gate House and Fern Glen are sited opposite the entrance to Home Park, to the east. The Kings Field Pavilion Church is opposite the site. The above properties were consulted in the application. A total of 237 neighbours were consulted.

24 letters of support including from the London Frontrunners Triathlon club Mx. Emily Chong and 2 observations have been received.

The key planning matters raised in the letters of support are as follows:

- The development will support the local economy, health and exercise.
- The application will bring the vacant site back into a beneficial use.

- Support, however, four short stay bicycle parking spaces may not be sufficient.

The key planning matters raised in the observations are set out below:

- The architectural features, design and detailing should be retained given this historical merit of the building.
- There may be highway safety considerations owing to the increase in cyclists.

<b>Consultees</b>	
Royal Parks	No objection to the proposals.
LLFA	No objection. Surface water should be managed to prevent flood risk and pressure to the existing surface water drainage network. Greenfield run off rates post development should be sought through the utilisation of sustainable urban drainage systems (SUDS).

<b>Consultees</b>	
LBRUT Noise	<p>Conditions should be applied to ensure that an unacceptable level of noise is not generated from the kitchen extraction system.</p> <p>A detailed scheme containing noise insulation measures for all divisions (walls/floors) separating the commercial/residential areas should be submitted via a condition.</p> <p>Subject to the above conditions there are no noise objections to the development.</p>
LBRUT Trees	It is not considered that the proposal would have an adverse impact on trees. There are no trees objections.
LBRUT Ecology	<p>A Preliminary bat Roosting Assessment 13 February 2022 has been supplied. This is considered satisfactory. The recommendations as per the Arbtech Preliminary Roost Assessment (dated 09/02/22) to be implemented in full.</p> <p>There are no ecology objections subject to appropriate conditions. These would include a condition for external lighting and a repeat bat emergent survey.</p>
LBRUT Transport	<p>The site is in PTAL 4. The Transport Report is dated 24 Nov 2021. The Transport Survey is dated July 2019. A condition restricting parking permits is considered necessary. A Construction Management Statement should be supplied. The above elements should be secured by a condition.</p> <p>There are no transport objections on the basis of the above.</p>
LBRUT Urban Design	<p>The application would retain the character and appearance of the building. The details of the materials to be secured via a planning condition.</p> <p>Subject to the above there are no Conservation objections.</p>



## 5. MAIN POLICIES RELEVANT TO THE DECISION

### NPPF (2021)

The key chapters applying to the site are:

- Section 4: Decision-making
- Section 5: Delivering a sufficient supply of homes
- Section 6: Building a strong, competitive economy
- Section 7: Ensuring the vitality of town centres
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

These policies can be found at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

### London Plan (2021)

The main policies applying to the site are:

- Policy D4 – Delivering good design
- Policy D5 – Inclusive design
- Policy D6 – Housing quality and standards
- Policy D12 – Fire Safety
- Policy H1 – Increasing housing supply
- Policy H2 – Small sites
- Policy H4 – Delivering affordable housing
- Policy H7 – Monitoring of affordable housing
- Policy H10 – Housing size mix
- Policy SI 12 – Flood risk management
- Policy SI 13 – Sustainable drainage
- Policy T4 – Assessing and mitigating transport impacts
- Policy T5 – Cycling & Table 10.2
- Policy T6 – Car parking & Table 10.3

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan>

### Richmond Local Plan (2018)

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy
Local Character and Design Quality	LP1
Designated Heritage Assets	LP3
Non-Designated Heritage Assets	LP4
Archaeology	LP7

Amenity and Living Conditions	LP8
Green Belt, Metropolitan Open Land and Local Green Space	LP13
Biodiversity	LP15
Trees, Woodland and Landscape	LP16
River Corridors	LP18
New Housing	LP34
Housing Mix and Standards	LP35
Sustainable Design and Construction	LP22
Flood Risk and Sustainable Drainage	LP21
Sustainable Design and Construction	LP22
Water Resources and Infrastructure	LP23
Waste Management	LP24
Local Shops, Services and Public Houses	LP27
Social and Community Infrastructure	LP28
Health and Wellbeing	LP30
Affordable Housing	LP36
Public Open Space, Play Space, Sport and Recreation	LP31
Sustainable Travel Choices	LP44
Parking Standards and Servicing	LP45
Parking Standards	Appendix 3
Marketing Requirements	Appendix 5

These policies can be found at

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

### **Supplementary Planning Documents**

Buildings of Townscape Merit

Design Quality

House Extension and External Alterations (2015)

Transport (2020)

Refuse and Recycling Storage Requirements

Residential Development Standards

Hampton Wick and Teddington Village Planning Guidance SPD (2017)

Affordable Housing (2014)

Guidance Notes on the Calculation of a Commuted Sum for the provision of Affordable Housing off-site Annex A

Viability Appraisal or Commuted Sum Calculation Annex B Schedule Of Inputs And Sources Of Information

These policies can be found at:

[https://www.richmond.gov.uk/services/planning/planning\\_policy/local\\_plan/supplementary\\_planning\\_documents\\_and\\_guidance](https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance)

### **Other Local Strategies or Publications**

Other strategies or publications material to the proposal are:

- Community Infrastructure Levy
- Hampton Wick Conservation Area Study 18

- Article 4 Direction Class E to C3

### **Determining applications in a Conservation Area**

In considering whether to grant planning permission with respect to any buildings or other land in a conservation area, Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this context, "preserving", means doing no harm.

To give effect to that duty, decisions of the court have confirmed that for development proposed to be carried out in a conservation area, a decision-maker should accord "considerable importance and weight" to the desirability of preserving or enhancing the character or appearance of the conservation area, when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This creates a strong presumption against granting planning permission where harm to the character or appearance of a conservation area is identified. The presumption can be rebutted by material considerations powerful enough to do so.

In applications where the decision-maker is satisfied that there will be no harm to the character or appearance of a conservation area, the statutory presumption against granting planning permission described above falls away. In such cases the development should be permitted or refused in accordance with the policies of the development plan and other material considerations.

### **Determining applications affecting a Listed Building**

Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant listed building consent for any works, or whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm.

To give effect to this duty decisions of the court have confirmed that a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. However, this does not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting planning permission where harm to a listed building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.

## **6. AMENDMENTS**

Existing West Elevation supplied 04.04.22.

The Council's Ecologist required additional evidence on bats. The Bat Roost Assessment Preliminary Bat Roost Report by ArbTech Consultants dated 13 Feb 2022 was supplied. This addressed the Ecologist's concerns.

Bike enclosure on ground floor was removed from the proposed drawings to avoid harm to the BTM. The revised drawings were received on 13<sup>th</sup> and 23<sup>rd</sup> April.

The applicant has annotated 'La Ciclista' on the fascia's of the public house. The applicant has been advised that any proposed advertising can only be considered through a 'The Town and Country Planning (Control of Advertisements) (England) Regulations 2007', As such it has been requested that these are removed from the proposed drawings.

Clarifications dated 01.04.22 that the on café proposes to sell alcohol from time to time. Occasional late night opening club meetings, seminars, and special events but not beyond 11.00 pm. It was also clarified that the development will provide 30 spaces for the cycle hub and 12 for residents.

## **7. EXPLANATION OF OFFICER RECOMMENDATION**

The key issues for consideration are:

- Change of use
- Heritage, Character and Design
- Metropolitan Open land
- Neighbour Amenity
- Affordable Housing
- Housing Mix
- Residential Standards
- Amenity Space
- Highways and Parking
- Biodiversity
- Trees
- Sustainability
- Waste
- Flood Risk
- Archaeology
- Fire Safety
- Representations

### **Change of Use**

#### Staff Accommodation to C3 Market Housing

Chapter 5 of the revised National Planning Policy Framework (NPPF) encourages local planning authorities to 'boost significantly the supply of housing' to 'deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities'. Encouragement for the delivery of new housing is also expressed within the Council's adopted Local Plan (2018) Policy LP34 which has set a target of creating 3,150 new houses between 2015-2025 and the London Plan (2021) H1 which sets a target of 4,110 new houses between 2019/20 and 2028/29.

The appeal site is located within a mixed-use area. There are a range of other food and drink uses, including public houses, within the vicinity of the site which contribute to the area's social and community infrastructure.

There is no in principle objection to the change of use of staff accommodation which served the Public House Use to market C3 on the upper floor. This would provide for much needed residential floorspace in the borough subject to the other policies in the Local Plan being achieved which weighs in favour of the scheme. Nonetheless, the provision of 3no. 2-bed units does not contribute to the identified priority housing needs for the area which is for smaller studio and one-bedroom flats. In this regard the Inspector found that while this part

of the proposal did not accord with this policy (LP35), the 2-bed units did still contribute to the supply of smaller 2-bed units within the area which reduced the weight to be afforded to this conflict. It is considered that on its own the conversion of the upper floor to C3 residential would not have been a sustained reason for the refusal for the appeal scheme 19/0357/FUL.

### Change of Use from Public House to Social Infrastructure

There is no strict definition of what constitutes social and community infrastructure in the Local Plan (2018). Social and community infrastructure facilities are considered to provide for the health, welfare, social, education, spiritual, recreational, leisure and cultural needs of the community.

Policy LP28 as set out in paragraphs 8.1.2 “covers any type of social and community infrastructure floorspace that is important to the local community. It encompasses a wide range of services, some of which are statutory services such as health and education and the Council will work with partners to ensure that local communities continue to have access to such services. Others are non-statutory community services such as cultural, play, recreation, sports and faith facilities including those for voluntary or charitable purposes. The Council considers it important to protect such uses and facilities as they play a key role in maintaining and fostering community and social cohesion. Some examples of social and community infrastructure include public services, GP surgeries, nurseries, community centres, public halls, arts and cultural facilities, policing, fire and ambulance services, youth centres, social clubs, indoor sport and recreation facilities, libraries, laundrettes, places of worship, and public houses. This is not an exhaustive list and the Council will determine whether any facility or service is considered to be a social infrastructure or community use.”

The Local Plan also states that “The pre-application process is encouraged and on specific schemes may clarify which policies and requirements apply. Schools and other education facilities, health and social care facilities as well as leisure and recreation facilities are dealt with in more detail in separate policies within this Plan.”

Policy LP 30 states that the Council will support development that results in a pattern of land uses and facilities that encourage:

- Sustainable modes of travel such as safe cycling routes, attractive walking routes and easy access to public transport to reduce car dependency.
- Access to green infrastructure, including river corridors, local open spaces as well as leisure, recreation and play facilities to encourage physical activity.
- Access to local community facilities, services and shops which encourage opportunities for social interaction and active living, as well as contributing to dementia-friendly environments.

LP 27 Section B relates to public houses: it sets out that “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.

It is considered that there is a mix of use classes for the commercial element proposed in this application and there is an agreement that this would be Sui Generis comprising largely of: Class E(b) Café with ancillary cycle parking/basement storage, F2(b) Training/Meeting Place and E(e) Treatment Room for use by Medical/Health practitioner. The total area of commercial floorspace to be retained at ground floor would be circa 76sqm.

Area	Area	Activity
Café/Meeting Space	68sqm	Leisure, meetings, talks, workshops, cycle clubs, cycle maintenance, safety clinics and first aid courses
Medical/Health Services:	7.5sqm	Physiotherapists and Osteopaths
Total	76sqm	
Bike Store at Rear	10sqm	Bike Storage

The applicant's sought pre-application advice. Whilst this is not a "traditional" community use, given the open definition of 'social and community infrastructure' such a mix of uses would serve the community widely and would be appropriate to this location in the Hampton Wick Area of Mixed Use. It is accepted that this would be acceptable as community/social infrastructure. Furthermore, the proposed mix uses would support the aims of LP30. It also is considered as an appropriate use to retain and bring back to use the Building of Townscape Merit as a community facility with an active ground floor use, see further detail in the 'Heritage, Character and Design' section of this report.

The individual strands of the above uses (see Table 1.) would be secured by an appropriate condition to ensure that the elements which serve the community would remain a central part of the site's operations. As set out above, public houses play an important role and social function in the local community, they add to the local character of an area and their loss is generally resisted.

The Council's Local Plan, paragraph "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."

*Whether there is another pub within 400 metres;*

There are several pubs within 400 metres of the application site in Hampton Wick High Street such as the Foresters Arms and White Hart Hotel.

*Whether the use is inappropriate in terms of access or amenity or living conditions;*

The development would be car free with a high level of cycle space provision. Council's Highways Department have been consulted. The site is in an area of 'good' public transport accessibility – PTAL 5. There are no highway objections to the proposal. Further information is provided in the 'Highways section' below.

The alterations to the building are minor and not extensive. Adverse neighbour amenity impacts in terms of privacy/overlooking upon No. 3 Hampton Court Road are not anticipated given the minor nature of the alterations to the host structure. Please see the 'neighbour amenity' section below for more information.

The applicant has been assessed against the NDSS space standards (2015). The living conditions of the proposed future occupants surrounding neighbours would not be detrimentally impacted. Please see the 'residential standards' section below.

*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.*

The Open Marketing Appraisal dated 29th August 2021 does show that the property has been vacant for some time and marketing has been for a broad range of alternative uses. The proposed mix of uses as set out in Table 1 above, would play social function in the local community.

Conditions will be applied securing the community use/mix of the community café/cycle hub on the ground floor. The provision and commencement of use of the community cycle hub will also be required before the occupation of the residential flats.

On the basis of the above being secured, the proposed change of use is considered to be acceptable.

The below reason for refusal of the application 19/0357/FUL is specifically in respect to the change of use of the 76m<sup>2</sup> social infrastructure element 'Change of Use/Marketing' is considered to have been addressed here given the proposed use which would benefit the community. Concerns however remain in relation to the introduction of a new C3 residential element (51sqm on the ground floor). This is set out in further detail in the 'public house (sui generis) to c3 market housing' section of this report.

#### Public House (Sui Generis) to C3 Market Housing

The site is located in an Area of Mixed Use. Areas of Mixed Use boundary delineates the smaller centres and parades in the hierarchy. There are a small number of centres which do not have such a boundary. In these locations proposals are expected to be located within or near to designated shopping frontages where the majority of commercial development is located.

Local Plan (2018) Policy LP25 (b) sets out "appropriate uses (see B & C below), major development and/or developments which generate high levels of trips should be located within a Main Centre Boundary. Elsewhere development should be located within the defined Area of Mixed Use (AMU boundary). For centres, or parts of centres where no boundary exists, proposals should be well-related to designated shopping frontages." 'Appropriate uses' as stated above could include new retail (including markets), business or employment developments, which maintain suitable provision for small businesses, and other uses, which primarily serve the needs of the local community or attract visitors and develop cultural opportunities.

"Para 7.3.4 goes on to say "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."

The marketing requirements in Appendix 5 are summarised below. Paras 18.07 & 18.08 are specific to pubs, and para 18.0.13 to social infrastructure uses. Paragraph 18.07 sets out that "the Council will resist the loss of public houses, which are considered to be a valuable community facility. Where the loss of a public house, or substantial reduction in floorspace is proposed marketing must also include the following: • Details should be provided about the operation of the public house (including at the time of closure if vacant) such as the turnover of the public house, the percentage split between wet sales and food and whether the premises is used as a music venue etc; It is expected that public houses will be marketed via an estate agent specialising in the leisure industry, where this is not the case the applicant should explain why Applicants should also have regard to the Campaign for Real Ale's (CAMRA) Public House Viability Test.

Consideration should be given to a full range of other social and community infrastructure uses in line with policy LP 28. Loss of social or community infrastructure sets out that “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.” The ground floor commercial unit is currently approximately 127sqm. The ground floor apartment would occupy approximately 51sqm. The resultant commercial/community floorspace would be circa 76sqm.

An Open Marketing Appraisal dated 29th August 2021 has been submitted by Milestone. It is noted that Milestone submitted the marketing appraisal for the unsuccessful application dated 29th August 2021. This shows the property being marketed as a bar/ancillary accommodation in 2013 (bar/ancillary accommodation), 2016 (bar/ancillary accommodation), 2018 (Class E). Therefore this is a longer period of marketing than had previously been set out. A web search reveals that the current marketing is on the basis of a broad range of alternative uses. The application has demonstrated that there is a demand for Social Infrastructure in the form of the proposed use - albeit, in a non-traditional sense.

The social infrastructure use would occupy the majority of the ground floor commercial unit. The ground floor commercial space of 76m<sup>2</sup> is welcomed in an AMU. The café/meeting space medical/health services would provide valuable employment. According to the application form the café would employ 9 FTE jobs.

It is recognised that 51sqm of floor space on the ground floor would go to residential. The staff accommodation on the upper floors still however fall within the public house use class. The principle of the change of use from a public house to a mix of social infrastructure and residential has already been accepted in the above sections LP34, LP27, LP28 and LP30 given that marketing has been undertaken, the majority of the ground floor (76m<sup>2</sup>) would remain a commercial/community use, and that the use would be a unique, non traditional social infrastructure use. On balance the change of use is considered acceptable weighing up the benefits of the scheme as a whole.

The proposed non traditional social infrastructure use would reactivate the majority of the ground floor and the C3 component would provide additional housing to meet identified demand in the borough.

Change of Use/Marketing’ was a reason for refusal in 19/0357/FUL and upheld at the subsequent Appeal. The Inspector’s Report for 19/0357/FUL set out that “In the absence of such ‘full and proper’ marketing evidence, it has not been demonstrated that the appeal proposal would accord with these policies. These conflicts would weigh against the appeal proposal.” It is considered that the Open Marketing Appraisal dated 29th August 2021 and the provision of a social infrastructure use (albeit a non traditional one) addresses this reason for refusal. Moreover, the area of commercial floorspace in this application is greater than that in 19/0357/FUL and is now proposed to serve a community function.



### **Heritage, Character and Design**

NPPF (2021) Paragraph 134 sets out that “development that is not well designed should be refused, especially where it fails to reflect local design policies.”

Policy LP1 of the Local Plan 2018 seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area. Proposals should demonstrate an understanding of the site and its context when considering the design including layout, siting and access and the compatibility of the works to the neighbouring uses.

LP 3 also states that “all proposals in Conservation Areas are required to preserve and, where possible, enhance the character or the appearance of the Conservation Area.”

Policy LP 4 Non-Designated Heritage Assets sets out that “the Council will seek to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit, memorials, particularly war memorials, and other local historic features.”

The Councils SPD relating to House Extensions and External Alterations states that the overall shape, size and position of side and rear extensions should not dominate the existing house or its neighbours. It should harmonise with the original appearance, either by integrating with the house or being made to appear as an obvious addition.

Paragraph 199 of the NPPF states ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 202 of the NPPF states ‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal’.

Paragraph 203 of the NPPF states ‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.

The Old Kings Head is an early 20th century Edwardian purpose-built public house which has been designated as a BTM and situated within the Hampton Wick Conservation Area. The building forms a prominent position next to the entrance to the Hampton Court Golf Course and close to a number of listed buildings. Its dual frontage makes it highly visible in the street scene which is positively accentuated by the tall roof and its highly ornate plasterwork set within the gable facing Hampton Court Road. The building overlooks the grade I Registered Park and Garden of Hampton Court although views towards the building from the park are limited by mature trees directly behind the public house.

### Change of Use

It is noted that the public house has been closed for a number of years. The proposed Community Cycle Hub/Cafe on the ground floor would allow some element of its original purpose of this BTM as a community facility to be reinstated. The use of part of the ground floor space as a cycling and community hub would not detrimentally impact on the character or appearance of the building. Reactivating this building would serve to enhance the

character of this part of the Conservation Area where the building has remained closed and redundant for some time. Furthermore, there is no Conservation Objection to the change of use of staff accommodation on the upper floor to C3 residential.

Bike enclosure

The area under the proposed roof terrace there would be enclosure to house bikes. This would comprise of free standing timber panelling. It would be circa 2.9m (h) and 2.5m (d). The proposed bike shed would not connect to the host BTM which would avoid any harm to the building. Subject to a condition to provide further details of the bike store, this aspect for the scheme is considered to be acceptable.

The replacement of French doors with balconies/creation of a roof terrace on the first floor western southern elevation/roof lights

There is no objection to the principle of French doors and the creation of a first floor roof terrace. It is note that were this application to be acceptable, a condition would eb applied to ensure that the materials would match and complement the existing building. The retention of the fascia to the main facades is welcomed. There is no objection to the installation of 2 no. conservation-style rooflights southern and western roof slopes. These proposed changes would adequately maintain the character and form of the building as well as key elements of its architectural interest.

Listed Wall

It is noted that there is a Listed wall which runs along the southern border of the site.



Figure 1. Listed Wall (Area in Pink)

Alterations are not proposed to the listed wall and the changes to the fabric of the building are minimal. As such it is not considered that there would be impacts to this.

**Metropolitan Open Land**

The Council’s Local Plan (2018) LP 13 sets out that “the borough’s Green Belt and MOL will be protected and retained in predominately open use. Inappropriate development will be refused unless ‘very special circumstances’ can be demonstrated that clearly outweigh the harm to the Green Belt or Metropolitan Open Land. Appropriate uses within Green Belt or MOL include public and private open spaces and playing fields, open recreation and sport, biodiversity including rivers and bodies of water and open community uses including allotments and cemeteries. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt or MOL.

As noted above, the site lies within the designated MOL, where policies related to Green Belt apply. The fundamental aim of these policies is to permanently protect the openness of

designated land. National planning policies on Green Belt land set out within the NPPF apply to MOL. This is reinforced in the London Plan (2021) Policy G3. London Plan Policy G3 sets out that MOL is afforded the same status as the Green Belt and that it should be protected from inappropriate development in line with the NPPF tests.

In line with policy LP13 of Local Plan (2018), the Borough’s MOL will be safeguarded, retained in predominately open use and there is a strong presumption against inappropriate development in designated MOL.

Paragraph 148 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Paragraph 149 of the NPPF sets out that a local planning authority “should regard the construction of new buildings as inappropriate in the Green Belt”, and then goes on to list exceptions to this principle. Paragraph 149 goes on to state that certain other forms of development are appropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. The practical effect is that it is open to the Council to conclude that the scheme is not inappropriate in MOL if it fulfils a three-limbed test. The development must: (i) be “appropriate” facilities; (ii) preserve openness; and (iii) not conflict with the purposes of including land within the MOL.

Appropriate NPPF (2021) Paragraph 149 (a) – (g)	Officer Assessment
(a) buildings for agriculture and forestry;	
(b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;	
(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;	Yes. In terms of use, the site is already in a business use in an existing (AMU). In respect to the external works to the building (French doors, roof terrace, conservation roof lights and bike enclosure) these are all alterations which would not result in ‘disproportionate additions’ over and above the size of the original building.
(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;	
(e) limited infilling in villages;	
(f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and	
(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of	

the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.	
---	--

### Paragraph 149 (b) Preserve Openness

'Appropriate' facilities under 149 (a) – (g) are considered as such so long as the facilities 'preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'.

The proposed works would be confirmed to the existing footprint of the Old Kings Head Pub. They would not encroach beyond the existing development curtilage. It is not considered that they would impact on the character and appearance of the existing building and how it is viewed from the inside and outside MOL.

### **Neighbour Amenity**

Policy LP8 states that development must protect the amenity and living conditions of existing, adjoining and neighbouring occupants. Design must allow for good daylight standards, avoid overlooking or noise disturbance, avoid visual intrusion, overbearing impacts or harm to the reasonable enjoyment of the uses of buildings and gardens. Harm may arise from various impacts such as noise, air pollution, odours or vibration.

### 3 'the Cottage' Hampton Court Road

No 3 Hampton Court Road is sited adjacent to the proposal site to the west. The ground floor side wall of this property does not contain side windows overlooking the site. The first floor contains a roof terrace with a small side window and a small roof dormer. The sites are well separated. Given the size of No. 3's fenestrations and the degree of separation, it is not considered that the development would give rise to privacy/overlooking issues. The proposed roof terrace would not generate privacy impacts into habitable rooms of No. 3 to the detriment of its neighbour amenity.

It is noted that there was a roof terrace of a similar design/location as proposed here in 19/0357/FUL and that neighbour amenity was not identified as an issue of concern in this or the subsequent Appeal.

In terms of neighbour amenity impacts of the proposed social infrastructure use, were this to be acceptable, this aspect of the scheme would be subject to a restrictive condition in relation to the hours of operation and activities to protect future occupants of the premises and No. 3. As such it is not considered that the proposed commercial activity would detrimentally harm the amenity of the future occupants were this application to be acceptable, or the neighbouring property in line with LP8.

### **Affordable Housing**

Local Plan Policy LP36 states some form of affordable housing contribution will be expected on all new housing sites. The Council will seek the maximum reasonable amount of affordable housing when negotiating on private residential schemes, further details are set out in the Affordable Housing SPD.

The applicant submitted a Viability Appraisal by Andrew Golland Associates, November 2021. This made the case that it was not viable to pay any affordable housing contributions.

This was independently reviewed by the Council's Viability consultants Bespoke. It was concluded by the Council's viability assessor that it was considered viable for affordable Housing Contributions. The applicant provided additional viability report by Andrew Golland Associates, dated March 2022.

On the basis of the above new material, the Council was advised by Bespoke further to a subsequent independent review that an affordable housing contribution of £4,699 was considered viable. This sum has been agreed by the applicant. This needs to be secured by a signed legal agreement.

### Housing Mix

Local Plan Policy LP35 states that "development should generally provide family sized accommodation, except within town centres where a higher proportion of small units would be appropriate. Generally, the housing mix should be appropriate to the location." Any residential use in an AMU would be expected to include a high proportion of small (studio or 1 bed) units. There is also a high demand for family accommodation as set out in the Council's Strategic Housing Market Assessment (SHMA).

The proposed development is 1 x 1 bedroom and 3 x 2 bedroom apartments. Whilst a larger number of smaller units would be preferred given this is in an AMU, the housing mix is considered tolerable. The 2 bedroom units could be occupied by small families where there is also an evidenced demand.

Housing Mix was a reason for refusal in 19/0357/FUL. This is set out below.

"The housing mix of 2, 2 bedroom units is inappropriate in the Hampton Wick Area of Mixed Use. This fails to accord with The Local Plan (2018) Policy LP35 and supporting housing evidence set out in the borough's latest SHMA." It is considered, given that there is a 1 x 1 bed unit, that the reason for refusal has been addressed.

### Residential Standards

Policy LP 35 (B) requires new housing to comply with the nationally described space standard. These are set out in the London plan Table 3.1 and the NDSS. The minimum standards are outlined below:

**Table 1 - Minimum gross internal floor areas and storage (m<sup>2</sup>)**

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	

- Apartment 1- Ground floor, 1 bedroom/1 person, 51sqm
- Apartment 2- First floor, 2 bedroom/3 person, 61 sqm
- Apartment 3- First floor, 2 bedroom/4 person, 70 sqm
- Apartment 4 –Second Floor, 2 bedroom/4 person, 80 sqm

Given that the units are provided over two storeys, apartment 1 being on the ground floor and apartments, 2, 3 and 4 being on the second floor, units 1, 2 and 3 fall below the minimum space standards. These are 58sqm for 1 bed/1 person units, 70sqm for 2 bed/3 person units and 79sqm for 1 bed/4 person unit. Unit 4 meets the space standards.

Policy LP35(E) requires that all new build housing meets building Regulation Requirement M4 (2) 'accessible and adaptable dwelling'. As Building Regulations M4(2) cannot be applied to conversions and change of use proposals, it is not applied in this instance. The mandatory M4(1) would be acceptable as a default and this would be secured by condition where this application is acceptable.

### **Amenity Space**

The requirements of Policy LP35 Housing Mix and Standards and the Residential Development Standards SPD continue to apply to external amenity space.

The current Residential Development Standards SPD was adopted in March 2010 and sets out general guidance on amenity space. It seeks "a minimum of 5 sqm of private outdoor space for 1-2 person dwellings."

Apartment 2 would benefit from a roof terrace circa 10.2sqm which would meet the amenity space standards. There would be a shortfall of amenity space provision for flats 1, 3 & 4. The site is located adjacent to Hampton Court Palace Park Hope Park). Bushy Park is located to the north. As such, the shortfall in the amenity space in this instance is deemed tolerable.

### **Highway and Parking**

Policy LP45, "Car free housing developments may be appropriate in locations with high public transport accessibility, such as areas with a PTAL of 5 or 6" Para. 11.2.3 also states "developers may only provide fewer parking spaces, including car free schemes, if they can demonstrate as part of a Transport Statement or Transport Assessment with supporting survey information and technical assessment that there would be no unacceptable adverse impact on on-street parking availability, amenity, street scene, road safety or emergency access in the surrounding area, as a result of the generation of unacceptable overspill of on-street parking in the vicinity."

London Plan Policy T6 sets out that "B Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite')."

The site is in PTAL 4 which is 'good' in public transport accessibility terms. The site is located in a Controlled Parking Zone. The Applicant has submitted a Transport Statement on 24 Nov 2021 by Paul Mew Associates. Following a local car parking survey, the report outlined that the parking stress in the area is 60%. This is 25% lower than the Council's 85% threshold for on street parking stress. On this basis a car free development is considered acceptable here. A condition will be applied where this application to be acceptable to restrict car parking permits for future occupants to ensure that the development does not increase car parking stress pushing it to unacceptable levels.

Local Plan Policy LP45 states that new development should provide appropriate cycle access and sufficient, secure cycle parking facilities. London Plan Policy T5 sets out that “A Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle.”

A minimum of 7 cycle parking spaces are required to serve the residential element of the proposal under the London Plan (2021) Cycle Parking Standards Table 10.2. The proposal would provide 9 FTE staff. Additionally, 1 space should be provided per/ 8 staff members. The submitted Transport Statement on 24 Nov 2021 by Paul Mew Associates states a minimum of 12 cycle spaces would be provided (7 serving the C3 component, 5 serving the café). The proposed drawings show that these are at the rear of the development. The application meets the cycle space requirement.

A condition will be applied requiring full details of a covered/secure cycle storage area catering for a minimum of 7 spaces shall be provided for the C3 units. These will be for the sole use of residents with separate access to the cycle hub (ie without having to go through the café). It will also need to detail the materials of the cycle enclosure.

### **Trees**

Policies LP15 and LP16 seek to protect biodiversity and health and longevity of trees, woodland and landscape in the borough. Local Plan policy LP16, subsection 5 requires; "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 (2012)." Minor changes are proposed to the public house. Trees would not be impacted as a result of the development.

### **Biodiversity**

Policy LP 15 Biodiversity sets out that the “Council will protect and enhance the borough's biodiversity. This will be achieved by “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.”

The site is in an ‘Other Site Of Nature Importance’. Of particular concern for this application was impacts on any potential bat roosting in the immediate vicinity. A Preliminary Bat Assessment was supplied on 24 Nov 2021. A revised Preliminary Bat Roost Assessment was supplied on 13 Feb 2022 to take account of light from the proposed roof lights. These updates were accepted by the Council's Ecologist. Subject to conditions, there are no biodiversity objections to the proposal.

Biodiversity was a reason for refusal in the application 19/0357/FUL. It outlined that “insufficient evidence has been provided to adequately demonstrate that the development would not generate harm to local biodiversity, in particular bats species in proximity to the application site as well as whether the proposal would be capable of demonstrating a biodiversity net gain. The proposal would therefore be contrary to Paragraph 170 of the NPPF and LP15 of the Local Plan (2018)” The revised Preliminary Bat Roost Assessment was supplied on 13 Feb 2022 addresses this reason for refusal.

### **Sustainability**

LP 22 Sustainable Design and Construction sets out that “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).

LP22 also states that “proposals for change of use to residential will be required to meet BREEAM Domestic Refurbishment 'Excellent' standard (where feasible).”

Sustainability was a reason for refusal 19/0357/FUL, this application failed to demonstrate that it meets the Council's standards in terms of energy efficiency and sustainability. The application was not supported by an Energy Statement or a Sustainable Construction Checklist which is a policy requirement. Details of the proposal's performance in terms of CO2 reduction, BREEAM and water saving have not been provided contrary to Policy LP22 of the Local Plan (2018).

The Inspector's Report sets out that “it has not been demonstrated that the appeal proposal would represent sustainable construction, with particular regard to reducing CO2 and securing energy and water efficiency.”

A BREEAM Report by EB7 Consultants dated July 2020 has been supplied. The energy section of the BREEAM Assessment contains a detailed 'energy efficiency' section detailing what energy efficient measures would be applied to achieve a BREEAM 'excellent' especially to reduce CO2 levels and water efficiency. It also contains a checklist detailing how the policy would be of high standards of sustainable design. Overall, the development would score a BREEAM 'excellent' in line with LP22.

The BREEAM Assessment provides the additional information in terms of water efficiency and CO2 emissions to address the reason for refusal of 19/0357/FUL.

### **Waste**

Policy LP24 sets out that “all developments, including conversions and changes of use are required to provide adequate refuse and recycling storage space and facilities.”

The Refuse and Recycling Storage Requirements SPD outlines that “kerbside recycling must be presented at the front edge of and within the property boundary and visible from the street on collection day.” As set out in the Refuse and Recycling Storage Requirements SPD, the location of the bin storage area provides access for kerb collection. Refuse and Recycling Storage Requirements SPD April 2015 sets out that for mixed use developments (i.e. commercial and residential), the commercial and residential waste must be stored and collected separately. The commercial waste storage area should be clearly separate from the storage area for residential waste, with separate access to each. Policy LP24 and the Refuse and Recycling Storage Requirements SPD require adequate recycling and waste storage to serve each new unit.

The development requires circa 70l per bedroom according to the Council's Refuse and Recycling Requirements SPD which equates to 490l of general waste and 2 x 240l recycling bins. The bin storage area would be 2.3m x 1.2m which is considered adequate to serve the proposed 4 residential units comfortably. The bin units are stored in the rear courtyard with direct access to Hampton Court Road.



Details have not been provided however to show where the waste area would be for the commercial aspect. Separate waste and recycling facilities/areas for the commercial element and residential units of the development need to be demonstrated. These shall be secured by condition.

### **Flood Risk**

London Plan Policy SI 13 Sustainable drainage outlines that “B Development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the following drainage hierarchy: 1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation) 2) rainwater infiltration to ground at or close to source 3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens) 4) rainwater discharge direct to a watercourse (unless not appropriate) 5) controlled rainwater discharge to a surface water sewer or drain 6) controlled rainwater discharge to a combined sewer. C Development proposals for impermeable surfacing should normally be resisted unless they can be shown to be unavoidable, including on small surfaces such as front gardens and driveways. D Drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.”

LP 21 Flood Risk and Sustainable Drainage outlines that “all developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere.”

The Council’s Local Lead Flood Advisor has been consulted. The site is in Strategic Flood Zone 2 and 3a. A Flood Risk Assessment has been supplied dated May 2019. The development would be classified as ‘More Vulnerable’ Sequential test is not required as the proposal is for change of use and/or a conversion.

The Council’s Local Lead Flood Advisor has been consulted. Given the nature of the change of use and the scale of the alterations, it is not considered that the development would give rise to flood risk. Were this application to be acceptable, a condition would be applied

### **Archaeology**

Policy LP 7 Archaeology sets out that “the Council will seek to protect, enhance and promote its archaeological heritage (both above and below ground), and will encourage its interpretation and presentation to the public.” The application is for a change of use and minor alterations to the fabric of the existing building. Given the nature of the proposal it is not considered that adverse impacts on archaeology would arise.

### **Fire Safety**

London Plan Policy D12 requires the submission of a Fire Safety Statement on all planning applications. The need for a fire statement became a policy requirement with the recent adoption of the new London Plan. Policy D12A states:

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.

A Fire Safety Statement has been prepared by FRA Compliance Limited which was supplied on 24 Nov 2021. It is considered that this is adequate to meet the requirements of D12A.

The applicant is advised that alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made.

## **8. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

On initial assessment this development is considered liable for the Mayoral and Richmond CIL however this is subject to confirmation by the CIL Administration Team

This is to notify you that were this development to be acceptable, it would be liable for a chargeable amount under the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy Regulations 2012).

## **9. RECOMMENDATION - APPROVAL SUBJECT TO COMPLETION OF A S106 AGREEMENT, CONDITIONS AND INFORMATIVES**

This recommendation is made following careful consideration of all the issues raised through the application process. In making this recommendation consideration has been had to the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in Chapter 16 of the NPPF. Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. For the reasons set out above, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

### **CONDITIONS**

#### **1 Development in 3 Years**

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

#### **2 Approved Drawings**

The development hereby permitted shall not be carried out other than wholly in accordance with Drawing Nos.

24 Nov 2021 18-20 A002 Existing Site Plan  
24 Nov 2021 18-20 A003 Existing Basement Ground and First Floor  
24 Nov 2021 18-20 A004 Existing Second Floor and Roof Plans  
24 Nov 2021 18-20 A005 Existing North and South Elevations  
24 Nov 2021 18-20 A006 REV A Existing East and North Elevations  
24 Nov 2021 18-20 A104 REV H Proposed Second Floor and Roof Plans  
Received 24 November 2021

04 Apr 2022 18-20 A006 Existing East and West Elevations  
Received 04 April 2022

13 Apr 2022 18-20 A103 REV L Proposed Basement, Ground and First Floor  
13 Apr 2022 18-20 A106 REV C Proposed East and North Elevations  
Received 13 April 2022

21 Apr 2022 18-20 A105 REV F Proposed West and South Elevations  
Received 21 April 2022

REASON: To ensure a satisfactory development as indicated on the drawings.

### **3 Materials**

The external surfaces of the building(s) (including fenestration) and, where applicable, all areas of hard surfacing shall not be constructed other than in materials details/samples of which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality.

### **4 External lighting**

Prior to installation, details of all external lighting - including locations, technical specifications, horizontal lux plan shall be submitted to and agreed in writing by the Local Planning Authority and thereafter constructed in accordance with these details. The details should accord with CIBSE guide LG6 and ILP/BCT Bat guidance note 8; there should be no upward lighting or lighting onto the open sky, buildings, trees and vegetation, or potential roost features.

There must be no external lighting on the balcony All windows on the south side must be treated to ensure that there is no light spill onto the SSSI or the large mature trees.

Reason: To safeguard the ecology of the site and neighbour amenity.

### **5 Bats including Ecological Enhancement**

All recommendations as per the Arbtech preliminary Roost Assessment (dated 09/02/22) shall be implemented in full and no construction works shall commence on site until the precautionary working method has been submitted and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with these details. 1 woodcrete box shall be installed on site and the location to be outlined on a plan showing specific location (including proposed aspect and height), specific product/dimensions. Should works not commence before 1st April 2023, a repeat bat emergent survey shall be required to be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the ecology of the site.

### **6 Energy Reduction**

The building hereby approved shall achieve a 35% reduction in carbon dioxide emissions beyond Building Regulations requirements (2013).

Reason: In the interests of energy conservation in accordance with the Councils sustainability policies and to accord with the terms of the application submitted.

### **7 Water Consumption**

The dwelling(s) hereby approved shall not be occupied other than in accordance with the water consumption targets of 105 litres or less per person per day, and 5 litres or less per head per day for external water use.

Reason: In the interests of water efficiency in accordance with the Council's sustainability policies.

### **8 BREEAM for Non-Housing**

The development hereby approved shall achieve BREEAM Rating 'Excellent'; in accordance with the terms of the application & the requirements of the BREEAM Guide (or such national measure of sustainability for design that replaces that scheme).

REASON: In the interests of promoting sustainable forms of developments and to meet the terms of the application.

### **9 BREEAM Excellent - Housing**

The dwelling(s) hereby approved shall achieve BREEAM Domestic Refurbishment Rating 'Excellent' in accordance with the terms of the application & the requirements of the BREEAM Guide (or such national measure of sustainability for house design that replaces that scheme). REASON: In the interests of promoting sustainable forms of developments and to meet the terms of the application.

### **10 Fire Statement**

The development must be carried out in accordance with the provisions of the Fire Safety Statement prepared by FRA Compliance Limited supplied on 24 Nov 2021 and retained as such thereafter.

REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.

### **11 Window Detail**

The development shall not be carried out other than in accordance with detailed drawings of the proposed balconies, roof terrace, windows and doors to a scale of not less than 1:20 metres which shall be submitted to and approved in writing by the Local Planning Authority, such details are required to show: materials, dimensions and slimline double-glazing details.

REASON: To ensure that the proposed development is in keeping with the existing building(s) and does not prejudice the appearance of the locality.

### **12 Cycle Parking - RESIDENTIAL**

None of the residential units shall be occupied until cycle parking facilities for the residential units hereby approved have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof.

REASON: To accord with this Council's policy to discourage the use of the car wherever possible.

### **13 Cycle Parking – COMMUNITY CYCLE HUB**

No building/dwelling/part of the development shall be occupied until cycle parking facilities for the community cycle hub hereby approved have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof.

REASON: To accord with this Council's policy to discourage the use of the car wherever possible.

#### **14 Construction Management Statement**

No development shall take place, including any works of demolition, until a Construction Management Statement (to include any demolition works) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The Statement shall provide for:

1. The size, number, routing and manoeuvring tracking of construction vehicles to and from the site, and holding areas for these on/off site;
2. Site layout plan showing manoeuvring tracks for vehicles accessing the site to allow these to turn and exit in forward gear;
3. Details and location of parking for site operatives and visitor vehicles (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
4. Details and location where plant and materials will be loaded and unloaded;
5. Details and location where plant and materials used in constructing the development will be stored, and the location of skips on the highway if required;
6. Details of any necessary suspension of pavement, roadspace, bus stops and/or parking bays;
7. Details where security hoardings (including decorative displays and facilities for public viewing) will be installed, and the maintenance of such;
8. Details of any wheel washing facilities;
9. Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including excavation, location and emptying of skips);
10. Details of measures that will be applied to control the emission of noise, vibration and dust including working hours. This should follow Best Practice detailed within BS5288:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites;
11. Details of any highway licenses and traffic orders that may be required (such as for licences for any structures / materials on the highway or pavement; or suspensions to allow the routing of construction vehicles to the site);
12. Details of the phasing programming and timing of works;
13. Where applicable, the Construction Management Statement should be written in conjunction with the Arboricultural Method Statement, and in accordance with British Standard BS5837:2012 'Trees in relation to design, demolition and construction - recommendations', in particular section 5.5, 6.1, 6.2, 6.3 and 7;
14. A construction programme including a 24 hour emergency contact number;
15. See also TfL guidance on Construction Logistics Plans.

REASON: In the interests of highway and pedestrian safety together with the amenity of the area.

#### **15 Community use agreement**

The development hereby approved shall not be occupied until a community use agreement has been submitted to and approved in writing by the Local Planning Authority. This agreement shall detail the terms of access/use of the community cycle hub facilities to be made available to local community groups and the general public including the days, hours, charges and maintenance responsibilities. The facilities shall include the café/community floorspace, ancillary kitchen, toilets and treatment room as shown on approved drawing no: 18-20 A103 REV L received on 13 April 2022. The development shall thereafter not be used at any time other than in strict compliance with the approved agreement unless otherwise agreed by the Local Planning Authority.

REASON: To secure well managed and safe community access to the approved facilities.

## **16 Ongoing management of café/community space/toilets/storage space**

The development hereby approved shall not be occupied until details of the ongoing management of the café/community space/kitchen/toilets/treatment room as shown on approved drawing no: 18-20 A103 REV L has been submitted to and approved in writing by the Local Planning Authority. The development shall not be used at any time other than in strict compliance with the approved details.

REASON: To secure the well managed and safe use of the approved facility.

## **17 Recycling - Details required**

Recycling facilities shall be provided as part of the development hereby approved in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show position, size, design, materials, finishes and signage thereof.

REASON: To accord with this Council's policy to encourage the recycling of appropriate waste products.

## **18 Refuse Arrangements - Residential**

None of the residential units hereby approved shall be occupied until arrangements for the storage and disposal of refuse/waste for the residential units have been made in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the appearance of the property and the amenities of the area.

## **19 Refuse Arrangements – Community Cycle Hub**

None of the buildings hereby approved shall be occupied until arrangements for the storage and disposal of refuse/waste for the community cycle hub have been made in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the appearance of the property and the amenities of the area.

## **20 Refuse Storage**

No refuse or waste material of any description shall be left or stored anywhere on the site other than within a building or refuse enclosure.

REASON: To safeguard the appearance of the property and the amenities of the area.

## **21 Sound Insulation for Commercial Premises**

Prior to the commencement of any superstructure works a detailed scheme of noise insulation measures for all divisions walls and/or floors separating proposed commercial/residential areas shall be submitted to and approved in writing by the Local Planning Authority. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer and shall demonstrate that the proposed sound insulation will achieve a level of protection which is at least + 5dB above the Approved Document E standard dwelling houses and flats for airborne sound insulation and -5dB for impact sound insulation. The approved scheme shall be implemented prior to the commencement of the use and be permanently retained thereafter.

REASON: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

## **22 Commercial kitchen Extraction System**

A scheme for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises shall be submitted to and approved in writing

by the local planning authority. Any equipment, plant or process approved pursuant to such details shall be installed prior to the first use of the premises and shall be operated and retained in accordance with the approved details and operated in accordance with manufacturer's instructions. The scheme shall be installed in accordance with the requirements detailed in Supplementary Planning Guidance - Planning Guidance for Food and Drink Establishments

REASON: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

### **23 Specific mixed use**

The ground floor community cycle hub as indicated on Plan 18-20 A103 REV L shall be used solely as a mixed use community café (Use Class E(b)), training area (Use Class F2(b)) and treatment room/medical facility (Use Class E(e)) as specified in the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision revoking or re-enacting that order, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory mixed-use development as indicated on the drawings that does not prejudice the site or locality.

### **24 Public toilets**

The disabled WC and WC as shown on approved drawing no 18-20 A103 REV L shall at no time be unavailable for use by the general public between the hours of 7am and 7pm on any day that the community cycle hub is open to customers.

REASON: To ensure social infrastructure aspects of the development are implemented as indicated on the proposed drawings to a satisfactory standard.

### **25 RS13A F Staff leaving premises**

Staff shall not be present on the premises after a period of 60 minutes has elapsed following the approved closing time.

REASON: To protect the amenities of nearby residential properties

### **26 Step-Free Access**

The community café shall have a level approach from the public highway and footpaths at all times.

REASON: To safeguard access for the disabled.

### **27 RS02A F Restrict hours/notice**

Customers shall not be present on the premises, nor shall there be preparation, sale or delivery of food for consumption off the premises during the following times:-

Monday-Sunday inclusive – before 7am; and after 7pm.

A notice to this effect shall be displayed at all times on the premises so as to be visible from outside.

REASON: To ensure that the proposed development does not prejudice the amenities of nearby occupiers, or the area generally.

### **28 Permeable paving**

The paving of the hard surfaces of the development hereby permitted shall be carried out using permeable materials and shall be permanently retained and maintained as such.

REASON: In order to ensure that the development minimises surface run-off.

## **29 Sustainable Urban Drainage**

No building hereby permitted shall be occupied until details of a sustainable urban drainage scheme for the site has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with an agreed management and maintenance plan for all of the proposed drainage components.

REASON: To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework (Paragraph 103), the London Plan (Policies SI 12 and SI 13) along with associated guidance to these policies and Richmond's Local Plan Policy LP 21.

## **30. Commencement of Use of Cycle Hub**

Prior to the occupation of any of the residential flats hereby approved details demonstrating the commencement of use of the Mixed Use Community Cycle Hub Comprising Café (Use Class E(b)), Training Area (Use Class F2(b)) and Treatment Room/Medical (Use Class E(e)) shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure a satisfactory mixed-use development in compliance with the terms of the consent sought and as indicated on the drawings.