



## **HERITAGE and PLANNING STATEMENT**

**FULL APPLICATION FOR THE CHANGE OF USE OF RESIDENTIAL  
LAND AT 54 PERCY ROAD TO CHILDREN'S DAY NURSERY TO  
INCORPORATE OUTBUILDING FOR USE BY THE NURSERY WITH  
ASSOCIATED PEDESTRIAN ACCESS at**

**34 Priory Road, Hampton, TW12 2PD**

**PREPARED BY**

**FIONA JONES BSc(Hons) BTP MRTPI**

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## 1.0 Introduction

- 1.1 This document is a Heritage and Planning Statement that sets out the impact of the proposals on the significance of Building of Townscape Merit (BTM) in order to comply with the requirements of the NPPF and the Council's Local List requirements. An assessment of the proposal against the planning policy framework is also included to justify the proposal for the change of use of residential land at 54 Percy Road to children's day nursery to incorporate outbuilding for use by the nursery with associated pedestrian access.

## 2.0 Site Description

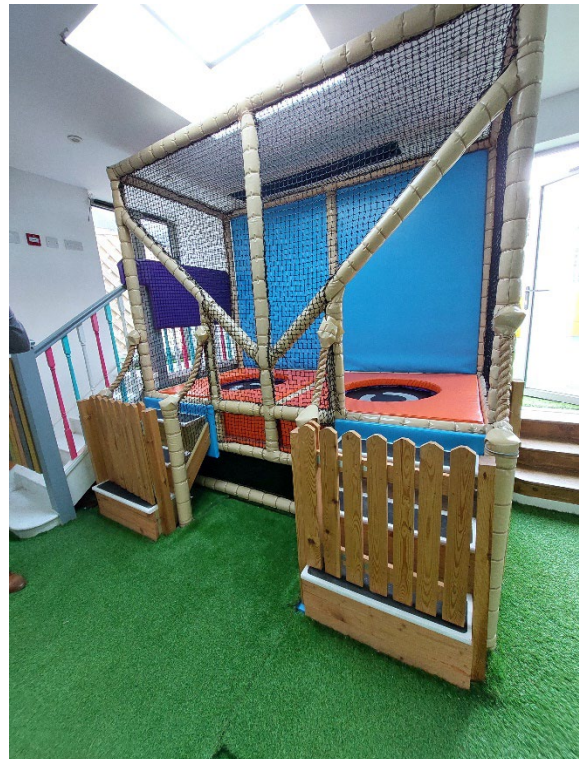
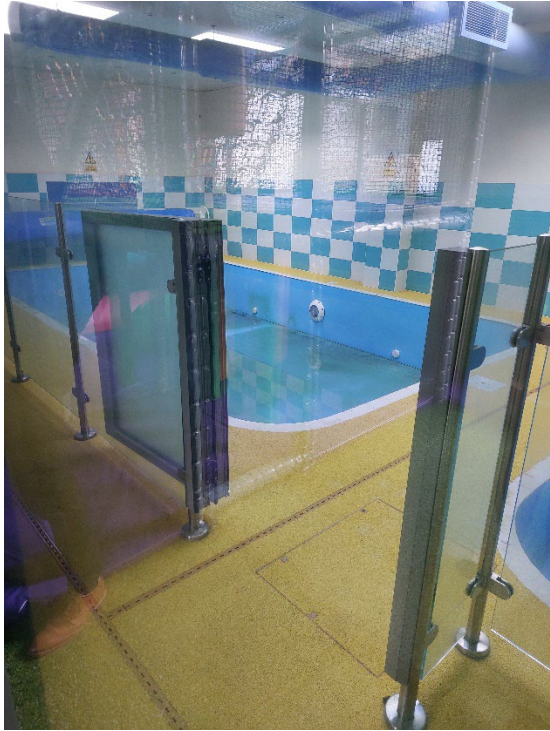
- 2.1 The site comprises a grand two storey detached property in use as a children's Day Nursery which backs onto no. 54 Percy Road. This is a residential property with a large outbuilding within the rear garden and backs onto the rear garden of no.3 Chestnut Avenue. Chestnut Avenue have recently constructed a large structure backing onto the boundary there, running what appears to be the entire length of the boundary, as shown below:



Existing outbuilding within rear of no.54 Percy Road



Outbuilding at no.3 Chestnut Ave



Interior of outbuilding



Gap between end of 34 Priory Road and 54 Percy Road where new gate will be located – note high foliage at no.32 Priory Road.

- 2.2 The property is not within a conservation area.
- 2.3 The site is located within the Hampton Village. The Character Area Village Planning Guidance describes the area as follows:

“The start of Priory Road is marked by a group of four large houses built in the Queen Anne Revival style, dating from the Edwardian period. These houses are formed of stock brick with red brick dressing on the corners and around the window openings, porches and half hipped roofs with gablets and gables are evident, both covered in clay roof tiles”.

### **3.0 Non-designated Heritage Asset**

- 3.1 The building is locally listed as a Building of Townscape Merit. The building, along with nos. 30, 32, 43, 45, 47 and 49 Priory Road were all locally listed on 6<sup>th</sup> November 2000 due to their architectural style and visual interest and being of significance to the history and character of the environment.

### **4.0 Planning History**

- 4.1 There is much planning history for the sites, but the most relevant applications are as follows:

### 34 Priory Road

- 4.2 On 4<sup>th</sup> March 2020, an enforcement notice was issued against the erection of a rear garden outbuilding and four front garden outbuildings and the installation of a new roof increasing the height of an existing front garden store. On 7<sup>th</sup> December 2020, the appeal was allowed insofar as it related to the rear garden building and the new roof on the front garden store.
- 4.3 On 16<sup>th</sup> May 2017, planning permission was granted to reinstate two storey outrigger and single storey extensions either side of the outrigger, and erection of a rear dormer roof extension (ref. 16/4318/FUL).
- 4.4 On 25<sup>th</sup> August 2016, planning permission was granted for the demolition of the side & rear conservatory and replace with masonry building including small extension to rear (ref. 16/2455/FUL).
- 4.5 On 18<sup>th</sup> October 2001, a Certificate of Lawfulness was issued for internal alterations and use as Day Care Nursery from the hours of 7.30am to 6.30pm weekdays only (ref. 01/0677).

### 54 Percy Road

- 4.6 On 15<sup>th</sup> February 2021, planning permission was granted for Change of use of the building into 2no. flats and reduction and retention of outbuilding (20/2721/FUL). This was not implemented.
- 4.7 On 19<sup>th</sup> October 2020, planning permission was granted for the reduction and retention of single storey outbuilding to rear garden (ref. 20/2226/HOT). This was implemented.
- 4.8 On 17<sup>th</sup> October 1949, planning permission was granted for the erection of a Bungalow and garage (ref. 47/1098).

## **5.0 Proposed Development:**

- 5.1 The applicant is the owner of both no. 34 Priory Road and no.54 Percy Road. There have been recent concerns raised by the LPA that the kitchen within no.54 is used in connection with the nursery use at no.34. This application will ensure that this is no longer possible as the gate which links the two properties close to the end of the house will be permanently closed and a new entrance installed closer to the outbuilding which will enable a pedestrian link between the two properties.
- 5.2 The intention is to provide an improved facility for the Children's Day Nursery by providing access to the outbuilding which includes a plunge pool and soft play zone. There would be a maximum of 12 children in the outbuilding at any one time, and generally 5-10 would be the number based on expected use and staff : child ratios.
- 5.3 The children from the nursery would be brought into the building and all play would be contained within the building. There would be little noticeable difference to a family using this space. The outbuilding would only be used between 9am and 5pm Monday to Friday, excluding bank holidays

and not used at all during the week between Christmas and New Year. The building's walls are constructed of solid concrete blocks 40cm in diameter together with 10cm of insulation on the outside of the building, and the ceiling with double layers of plasterboard, insulation and sealed via a rubber based watertight barrier, thereby making it impossible for noise to travel externally of the property from persons inside. Additionally, there are no windows facing north, east or south. The only windows are to the north facing the building of 54 Percy Road itself.

5.4 There would be no impact on the heritage asset (the Building of Townscape Merit).

## 6.0 Relevant Planning Policy

6.1 The development plan comprises the Richmond upon Thames Local Plan (2018) and the London Plan (2021). The National Policy Planning Framework (2023) is also a material planning consideration.

6.2 The relevant local policies are as follows:

- Policy LP4 'Non-Designated Heritage Assets' states 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.
- LP8 Policy LP8 'Amenity and Living Conditions' states all development will be required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties.
- Paragraph 3.1.23 confirms that "There is a continuing need for additional school and nursery places across the borough... The Council will work with partners to encourage the provision of facilities and services for education and training for all age groups to help reduce inequalities and support the local economy." This is also repeated at paragraph 8.1.3 - There is an increasing need for nursery, education and health provision across the borough.
- Paragraph 3.1.25 The Local Plan plays a crucial role in facilitating the creation of healthy environments and the Council promotes and supports healthy and active lifestyles, including measures to reduce health inequalities. The Spatial Strategy seeks to ensure that development results in patterns of land uses and facilities that make the healthy choice the most convenient and attractive option for residents, helping them to lead healthier lives more easily.
- Paragraph 3.1.26 There is an emerging obesity issue in the borough, particularly in children.
- Policy LP 29 Education and Training states: The Council will work with partners to encourage the provision of facilities and services for education and training of all age groups to help reduce inequalities and support the local economy, by the following means: 1. supporting the provision of facilities to meet the needs for primary and secondary school places as well as pre-school and other education and training facilities; and encouraging the potential to maximise existing educational sites through extensions, redevelopment or refurbishment to meet identified educational needs.
- Policy LP 28 Social and Community Infrastructure states: The Council will work with service providers and developers to ensure the adequate provision of community services and facilities. Proposals for new or extensions to existing social and community infrastructure will be supported where:
  1. it provides for an identified need;
  2. is of a high quality and inclusive design providing access for all; and

3. where practicable is provided in multi-use, flexible and adaptable buildings or co-located with other social infrastructure uses which increases public access.

- Paragraph 8.1.1 states Social and community infrastructure facilities provide for the health, welfare, social, education, spiritual, recreational, leisure and cultural needs of the community. The provision of adequate community and social infrastructure is essential to support the projected population growth within the borough. Such facilities are often at the heart of local communities.

6.3 The relevant London Plan policies are:

- Policy S3 Education and childcare facilities
- Policy S4 Play and informal recreation - Development proposals for schemes that are likely to be used by children and young people should, inter alia, increase opportunities for play and informal recreation and enable children and young people to be independently mobile
- HC1 – Heritage conservation and growth

6.4 Chapter 8 'Promoting healthy and safe communities' within the NPPF is most relevant to this application which states that "Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which, inter alia, enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of ... sports facilities...".

6.5 The identified need is as follows: The pools are of depths suitable for young children and would provide for sensory play and activities especially beneficial to children with Special Educational Needs and those who benefit from sensory and calming activities. There is a growing number of enquiries from families whose children require such facilities and opportunities, as well as those who would benefit from the physical play within the soft play structure and exercise within a pool of comfortable depths for young children. This would improve the overall health, exercise and wellbeing of young children requiring these additional facilities and opportunities, and is an identified educational need based on current enquiries and demand for such places which have only increased in number in recent years.

## **7.0 Heritage and planning considerations**

7.1 Paragraph 203 of the National Planning Policy Framework states that "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".

7.2 The Proposed Development relates to the use of an outbuilding a considerable distance from the BTM and thus there would be no harmful impact upon the heritage asset. There is already an outbuilding in the rear garden of the BTM between the BTM and the land of outbuilding for which planning permission is being applied for.

### Use of outbuilding for nursery use

- 7.3 The outbuilding has been in situ within the end of the garden at no.54 Percy Road since 2018 and was constructed as permitted development as a building incidental to the enjoyment of the dwellinghouse with the inclusion of the swimming pool and soft play area for the applicant's daughter and wider family and friends. No. 54 has remained in residential use but the rear kitchen has been used for a couple of hours per day for cooking food for the nursery at no.34 Priory Road for the past 8 years since June 2016. The Council's enforcement team has confirmed that this amounts to a material change of use and must cease.
- 7.4 The outbuilding is no longer required for the dwellinghouse which includes a good sized garden to be used by the residents and therefore, this application would provide an improved facility to the nursery. Pedestrian access would easily be gained via a new gate / doors are already in place at the rear of 34 Priory Road, just boarded up as council requested previously linking the two sites. Children would be brought to the outbuilding by the nursery teachers and play within the building as any other children could. There would be no demonstrable harm from this change of use of the land – the number of children within the nursery would remain as existing, the outbuilding would not provide for any additional places at the nursery. The use of the building would thus be compliant with policies LP28 and LP29 of the Local Plan and policies S3 and S4 of the London Plan.

### Impact on neighbours

- 7.5 Policy LP8 states that all development will be required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. The rear of no.3 Chestnut Avenue is located 25m from the rear of the outbuilding and now includes a very large outbuilding at the rear of their garden which would block out any visual and noise impact. The rear of no.32 Priory Road is situated 22m from the side wall of the outbuilding with a mature and tall screen of trees/hedges at the boundary edge. The outbuilding was constructed in 2016 with thick concrete blocks and thick insulated ceiling to ensure there is no noise impacts on neighbouring properties.
- 7.6 As set out above, the proposed use of the outbuilding by the nursery would not create any more noise and disturbance than could currently exist with the outbuilding being used by a family (and their friends). Further, due to the distances from the neighbours, any noise would be insurmountable.
- 7.7 The incorporation of the outbuilding into the nursery site would provide benefits to the children who would use this space for recreation, fitness and for sensory purposes. The Local Plan (at paragraph 3.1.26) acknowledges that there is an emerging obesity issue in the borough, particularly in children and the use of this building by the nursery will assist in improving fitness levels of children through active play. The facilities are ideal for benefitting young children, with the most significant positive impact of the sensory play and activities on those children with Special Educational Needs. Such facilities are lacking, and this would provide a unique opportunity to use an existing building to offer something that will have a tangible positive impact on the health of these children as part of their daily and weekly routine.



7.8 There would be no increase in children attending the nursery and thus there would not be any acknowledged noise and disturbance which would lead to harmful impacts on the neighbours, in compliance with Policy LP8.

## **8.0 Conclusion**

8.1 This application would enable the following:

1. The boundary between the dwellinghouse at no.54 Percy Road with the nursery to be completely closed off with fixed panel fencing, with no access to the single-family dwelling from either side.
2. Use of the kitchen by the nursery to cease.
3. Use of any part of the property internally or externally by the nursery to cease.
4. Fence to be erected, together with trees for screening the boundary between the outbuilding from the garden of the house.
5. Outside area around the outbuilding of just over 1m in width to be used for growing vegetation only. There would be a gap of 60cm between the outbuilding main wall and fence from the house garden.
6. Internal space of outbuilding used for children attending the nursery.
7. Access from existing side door of the outbuilding and existing rear doors of the nursery currently closed off.
8. Nursery current space capacity is 105 children, this building would not increase any child capacity whatsoever as the space would be for swimming, soft play, sensory play and trampolines exactly as it is currently setup, thereby this is not classroom space to be used for additional children. The applicant is willing to accept a planning condition that child numbers cannot increase. This could not occur in any case.
9. The application is offering more learning and development for children especially those with SEND of which there is a growing requirement based on actual enquiries received.
10. Additional noise of any form would be almost zero as the building is constructed from thick concrete blocks with 10cm external insulation in addition, and accordingly thick insulated and watertight sealed rubber-based barrier ceiling, and furthermore, is a notable distance from any other properties.
11. No highways impact as no change to number of nursery children.
12. There would be a maximum of 12 children in the outbuilding at any one time, and generally 5-10 would be the number based on expected use and staff : child ratios.
13. Outbuilding would only be used between 9am and 5pm Monday to Friday, excluding bank holidays and not used at all during the week between Christmas and New Year.
14. No construction work would be required as the building would remain as it currently is in terms of construction.

8.2 Overall, the scheme is considered to be fully policy compliant, and we respectfully request that permission is granted.