

PLANNING STATEMENT

**CONVERSION OF THE REAR PART OF THE SHOP
FROM
CLASS E TO ONE SELF-CONTAINED FLAT (CLASS C3)**

**398 Richmond Road
East Twickenham
TW1 2EB**

1.0 INTRODUCTION

- 1.1 This statement has been prepared to support a prior approval application for the residential conversion of existing Class E floor space at the rear of the ground floor of 398 Richmond Road, East Twickenham (“the Site”).
- 1.2 This application is accompanied by a Flood Risk Assessment and a Daylight report along with floor plans, elevations and sections of the existing and proposed building together with a proposed site/block plan and location plan. This statement should be read alongside these documents.

The Site

- 1.3 The Site is shown on the OS extract below and comprises a three-storey building in a mixed use area. The ground floor comprises a former dry cleaner (Class E), with the premises now vacant and the Class E use last operational in 2023.



- 1.4 The site lies within the Twickenham Riverside Ward and within a secondary shopping frontage. The building lies within the Richmond Road (East Twickenham) Conservation Area and is not listed.

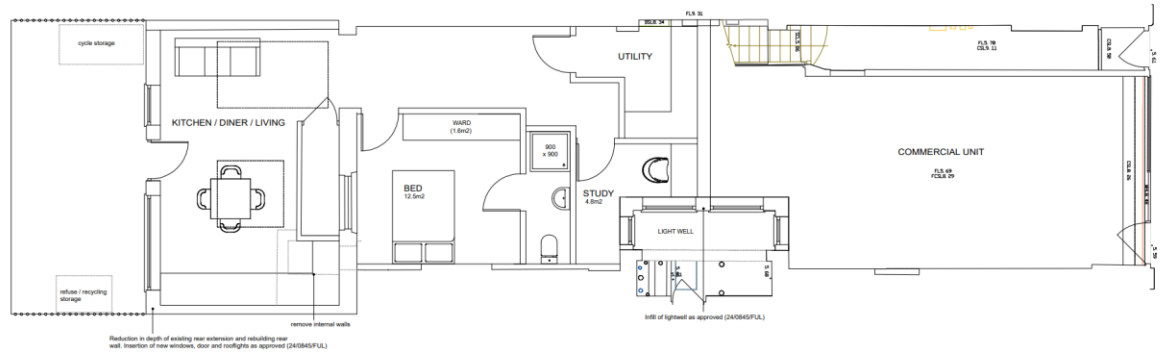
Planning History

- 1.5 Planning permission has recently been granted under 24/0845/FUL for external changes to the rear of the premises which include a reduction in the depth of a single storey projection together with new windows, doors and rooflights.
- 1.6 This application for a change of use does not propose any external changes. Where external changes are shown on the drawings, this relates to those works approved under 24/0845/FUL and demonstrates how the change of use has had regard to these alterations.
- 1.7 It is respectfully noted that in granting prior approval of the conversion of part of the ground floor of 408 Richmond Road, the Council had regard to a separate consent for external alterations to the premises. In granting prior approval, the Council imposed the following condition:
*“The unit created under this application shall not be occupied until the works approved under 22/1374/VRC has been completed.
Reason: To protect the amenity of the future occupiers.”*
- 1.8 It is suggested that the same condition could be imposed in relation to this prior approval, thus ensuring the external changes that benefit from full planning permission are implemented prior to the change of use the subject of this application.
- 1.9 The site is not subject to an Article 4 Direction restricting Class E (commercial) to Class C3(residential) Use

The Proposal

- 1.10 We have been instructed by our client, Park Property Group (Richmond Road) Ltd to submit the enclosed prior approval to convert the rear part of the ground floor premises from a dry cleaners (Use Class E) to residential (Use Class C3) to provide 1no. self-contained flat (“the Proposal).
- 1.11 The ground floor has been used as a dry cleaner (Use Class E) for many years and was vacated within the last 12months, with the applicant purchasing the site in early 2024.

1.12 The layout of the proposed flat is shown in the submitted drawings, an extract of which is below.



1.13 The flat would meet the nationally described space standards, as confirmed on the submitted drawings.

2.0 POLICY AND LEGISLATIVE ASSESSEMENT

CLASS MA – COMMERCIAL, BUSINESS and SERVICE USES TO DWELLINGHOUSE

2.1 Class MA confirms Permitted development under this schedule to be:

“MA. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.”

2.2 Schedule 2, Part 3, Class MA.1 confirms that development is not permitted by Class MA if:

(a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;

This requirement was omitted as of 5th March 2024. The premises have been vacant since 2023 and were purchased as such by the applicant in January 2024.

(b) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

The premises have an established use as a dry cleaner (Class E).

(c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;

This requirement was omitted as of 5th March 2024. The area involved is less than 1,500sqm in any event.

(d) if land covered by, or within the curtilage of, the building:

(i) is or forms part of a site of special scientific interest;

(ii) is or forms part of a listed building or land within its curtilage;

(iii) is or forms part of a scheduled monument or land within its curtilage;

(iv) is or forms part of a safety hazard area; or

(v) is or forms part of a military explosives storage area;

The site does is not affected by any of these designations.

(e) if the building is within:

(i) an area of outstanding natural beauty;

(ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981(3);

(iii) the Broads;

(iv) a National Park; or

(vi) a World Heritage Site;

The site is not affected by any of these designations.

(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

The site is not affected by this criterion.

(g) before 1 August 2022, if:

(i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and

(ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

The site is not affected by this criterion.

2.3 Development under Class MA is permitted subject an application to the local planning authority for a determination as to whether the prior approval of the authority will be required in relation to a specific number of matters. These are addressed below.

CONDITIONS OF CLASS MA

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

Vehicle Parking

The site has a public transport accessibility level of 6a and is a CPZ. Local Plan Policy LP45, Para. 3c states that car free housing developments may be appropriate in locations with high public transport accessibility, such as areas with a PTAL of 5 or 6, subject to several considerations.

This scheme would be car-free and the relevant matters noted in Policy LP45 are addressed below.

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

To avoid the proposal generating parking demand, the applicant is willing to enter into a legal agreement with the Local Planning Authority whereby all occupants of the proposed development will be precluded from obtaining vehicular parking permits within any controlled parking zone (CPZ) within the Borough of Richmond.

This proposed restriction would mitigate the impact of overspill parking on roads within 200m of the site during the night-time and ensure the development would not lead to unsafe parking which could prevent safe use of the highway by other road users. This is in accordance with Local Plan Policy LP45, Para. 3c and the National Planning Policy Framework.

It is further noted that this can be achieved by way of a Grampian condition, as imposed on numerous similar schemes within the Borough, including 408 Richmond Road (22/1512/GPD26).

It is suggested a similar condition would be appropriate in this case and should reflect the phrasing of the relevant condition attached to 22/2337/GPD26 requiring written agreement prior to occupation, rather than commencement of development.

Cycle Parking

The application includes cycle parking spaces in accordance with the minimum standards set out in Table 10.2 of the London Plan (2021) and London Cycle Design Standards.

The cycle parking is shown on the submitted drawings.

Servicing and Refuse Collection

The proposals include bin storage located forward of the proposed flat. The bins would be easily accessible to future occupants and refuse vehicles can stop on the highway to empty the bins, as occurs for existing properties along Richmond Road. The bins proposed meet size requirements.

Fire tenders and ambulances can stop on the highway.

Construction Traffic

This application relates to a change of use and only modest internal works are proposed. It is not anticipated that this will involve the removal of any spoil or large quantities of waste materials. Any materials associated with the works to convert the premises to residential use would be stored within the building for health and safety reasons as well as security. The works would not generate a material increase in vehicles using the local road network nor infringe on the safety of any road user, including pedestrians.

The proposal would comply with Policy LP45 and the NPPF.

Contamination risks in relation to the building

The building has been used for general commercial purposes and there are no known contamination issues associated with the building or previous uses.

The change of use does not require any excavation or disturbance to the ground floor slab or into previously undisturbed land.

No contamination risks are identified.

Flooding risks in relation to the building

This submission is accompanied by a Flood Risk Assessment prepared by Patrick Parsons. It confirms the site is located in Flood Zone 3 and considers all potential sources of flood risk.

The footprint of the premises would be reduced by virtue of a separate permission and suitable mitigation measures are proposed including raising the floor levels.

As such, the development would not increase the risk of flooding.

Impacts of noise from commercial premises on the intended occupiers of the development

The building is bounded by other mixed use buildings that typically comprise Class E at ground floor level (in full or part) and Class E residential use above. To the rear of the premises lie residential properties along Cresswell Road.

The proposal residential use is entirely compatible with existing Class E and Class C uses adjacent to it.

There are no notable sources of noise in the vicinity, with the flat located at the rear of the existing 3 storey building fronting Richmond Road.

Accordingly, due to the nature of the proposed and the surrounding uses, the development is considered to neither result in any noise impacts that would affect neighbouring uses nor be adversely affected by noise to the detriment of intended occupiers of the development.

Impact on the character or sustainability of the conservation area

As the site is located within a conservation area and the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area is necessary.

This submission does not involve external changes.

The frontage of the premises along Richmond Road would remain in Class E use and no change or impact on the established character of the conservation area would thus arise in this regard. The applicant has sought the advice of commercial agents and is content the remaining commercial floorspace is viable and indeed likely to be more attractive than the existing larger unit.

The area is of mixed use, including commercial and residential. In this regard, the proposal would not have a detrimental impact on the mix of uses within the conservation area.

The proposal would not compromise the sustainability of the conservation area and would bring part of the building back into an economic and viable use. This would positively contribute to the sustainability of the conservation area and ensure the long-term management and maintenance of the premises.

This conclusion reflects that reached in the assessment of 22/1512/GPD26 at 408 Richmond Road.

The provision of adequate natural light in all habitable rooms of the dwellinghouses

In association with the changes approved under 24/0845/FUL, all habitable rooms would be served by windows that provide both good light and ventilation.

In support of this, the application is accompanied by a Daylight Assessment that demonstrates the habitable rooms would benefit from appropriate daylight.

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

The site is not within an area the Council considers important for general or heavy industry, waste management, storage or distribution. As noted previously, the immediate area along this part of Richmond Road is predominantly Class E with residential above with residential uses to the rear along Cresswell Road.

The loss of services provided by a registered nursery, or a health centre maintained under section 2 or 3 of the National Health Service Act 2006

The change of use does not involve the loss of a registered nursery or health care centre.

Where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

The site does not meet the fire risk condition as it is not 18 or more metres in height, it does not contain 7 or more storeys and a single flat is proposed.

- 2.4 In compliance with paragraph W (prior approval), it is confirmed the proposed development would be completed within a period of 3 years from the prior approval date.
- 2.5 It is further confirmed that the proposed development would be intended to be exclusively used as a C3 dwellinghouse, with no intended usage outside of this.

3.0 CONCLUSIONS

- 3.1 This statement provides an assessment of the proposed development against the requirements of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development etc.) Order 2021 (Amendment).
- 3.2 The proposed conversion of part of the ground floor of 398 Richmond Road to residential use comprises permitted development, by virtue of the above order.
- 3.3 In our judgment and as demonstrated herein, it is our opinion that the development meets the criteria set out in Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development etc.) Order 2021 (Amendment).