

Planning Statement.

Units 19 and 20 Station Point, 121 Sandycombe Road,
Richmond TW9 2AD.

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1. Introduction.

- 1.1. Hollins Planning have been appointed to submit a prior approval notification application for the change of use of office accommodation (Class E) into a self-contained flat (Class C3).
- 1.2. The proposal complies with Schedule 2, Part 3, Class MA of the General Permitted Development Order (2021), which took effect from 1st August 2021.
- 1.3. This planning statement examines the sites planning history and assesses the proposed change of use against the conditions and requirements of the legislation.
- 1.4. The unit forms part of Station Point. This is a mixed use, residential and commercial development. constructed about 15 years ago.
- 1.5. Prior approval consent under class MA has been granted to convert unit 23. (ref 22/3588/GPD26) and units 9 and 10 (23/1618/GPD26).

2. Site and Surroundings.

- 2.1. Station Point is a mixed-use development that extends across the rear boundary of Nos 119-123 Sandycombe Road. It accommodates just under 1000sqm of office space and residential units. Access is via an undercroft entrance from Sandycombe Road.
- 2.2. Units 19 and 20 are located at the rear of the site in a 2 storey building. The rear of Station point abuts the District underground line. The site is not in a conservation area. The council has Article 4 Direction in place to restrict class MA changes of uses. It was modified by the Secretary of State on 22nd July 2022, but it still covers 62 sites in the Borough. However, Station Point is not included in the Direction.



The front entrance of Station Point from Sandycombe Road.



Aerial view of Station Point.

3. Relevant Planning History.

Units 9 and 10 Station Point

Prior approval not required (23/1618/GPD26).

Conversion of office space into a single dwelling with associated cycle parking and refuse and recycling provision.

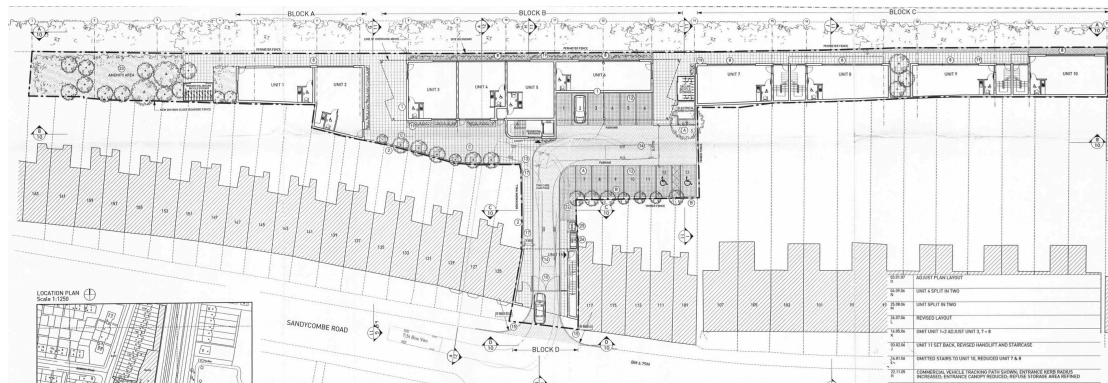
Unit 23 Station Point

Prior approval not required (22/3588/GPD26)

Conversion of first floor office unit into 1 x two-bedroom self-contained flat.

06/3124/FUL ALLOWED ON APPEAL

Demolition of all existing buildings on site. Erection of four separate buildings to provide 1009 sq. metre of B1 Business Use space and eight residential units.



Extract of approved site layout.

- 3.2. It is important to note the decision did not impose any restrictive conditions on the use of the office premises.

Units 19 and 20 Station Point.

4. The Application.

- 4.1. The application seeks prior approval to convert the office accommodation into a self-contained, 3 bedroomed dwelling.
- 4.2. No external changes are proposed.
- 4.4. The unit would have an integrated cycle store in the ground floor lobby. This would accommodate 2 bikes. It would use the existing residential refuse and recycling store which is next to the ground floor entrance.

5. NPPF

5.1. The Council should consider applications for prior approval in the spirit of the following NPPF objectives.

Section 2. Achieving Sustainable Development.

- The planning system shall contribute to sustainable development. This includes providing new homes.
- The 3 objectives to sustainable development are **Economic**, (build strong and competitive economy) **Social**, (provide a range of homes) and **Environmental**, (protection of the built/historic environment and mitigate against climate change (para 8)).
- A **presumption in favour of sustainable development** is at the heart of the framework (para 10).

Section 4. Decision Making.

LPA's should be positive and work with applicants to ensure development improves the economic, social and environmental conditions of an area (para 38).

Section 5. Delivering a sufficient Supply of Homes.

- A key objective is to significantly boost the supply of new homes (para 60).
- Sites with permission to be developed without delay (para 60)
- Small sites make an important contribution to housing delivery. They can be built quickly (para 70).

Section 6. Building a Strong Competitive economy.

Policies should anticipate new working practices and be responsive to economic change (para 86).

Section 8. Making Effective Use of Land.

- Decisions should promote the effective use of land to meet the need for new homes (para 123).
- Decisions should give substantial weight to the use of brownfield land for housing (para 124).
- Underused land and buildings for housing should be promoted (para 124).
- Unless economic objectives are undermined, then the use of employment land should be supported in areas of high housing demand (para 127).
- Development which makes efficient use of land, taking into account, housing need, market conditions, infrastructure, an areas character and good design should be supported (para 128).

Section 9 Promoting Sustainable transport.

- Development should only be refused on highway grounds if there is an unacceptable impact on highway safety or the impact on the road network would be severe (para 115).
- Priority should be given for pedestrian and cycle movement (para 116).

6. Existing Use.

- 6.1. The lawful use of the building as offices is well documented by the sites planning history. The applicant has also provided a sworn statement which confirms they bought the premises in 2015. The statement confirms that they have been in continued use as office accommodation with no interruption by any other use. Both units were occupied until February 2024.
- 6.5. The sole purpose of setting a 2-year period is to prevent 'gaming', whereby an owner of a premises could deliberately set up an office then sits on it for a short period and then apply under class MA. Clearly this was never the intention with units 19 and 20 that was permitted well before the introduction of Class MA in 2021. Furthermore, there is no other history planning history associated with the use of these premises which might otherwise blur this issue.

7. Conditions.

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.

Development is not permitted by Class MA if	Response
(b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2*) for a continuous period of at least 2 years prior to the date of the application for prior approval.	The planning history of the units are well documented It's lawful use is B1 business which is identified as an appropriate use in sub paragraph 2 (see below). The use of the premises as offices is also supported by the sworn statement provided by the applicant.
(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 explosive's storage area.	None of these land use designations cover or affect the site.

* (2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—

(a) the following classes of the Schedule as it had effect before 1st September 2020—

(i) Class A1 (shops).

(ii) Class A2 (financial and professional services).

(iii) Class A3 (food and drink).

(iv) Class B1 (business).

(v) Class D1(a) (non-residential institutions – medical or health services).

(vi) Class D1(b) (non-residential institutions – crèche, day nursery or day centre).

(vii) Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink.

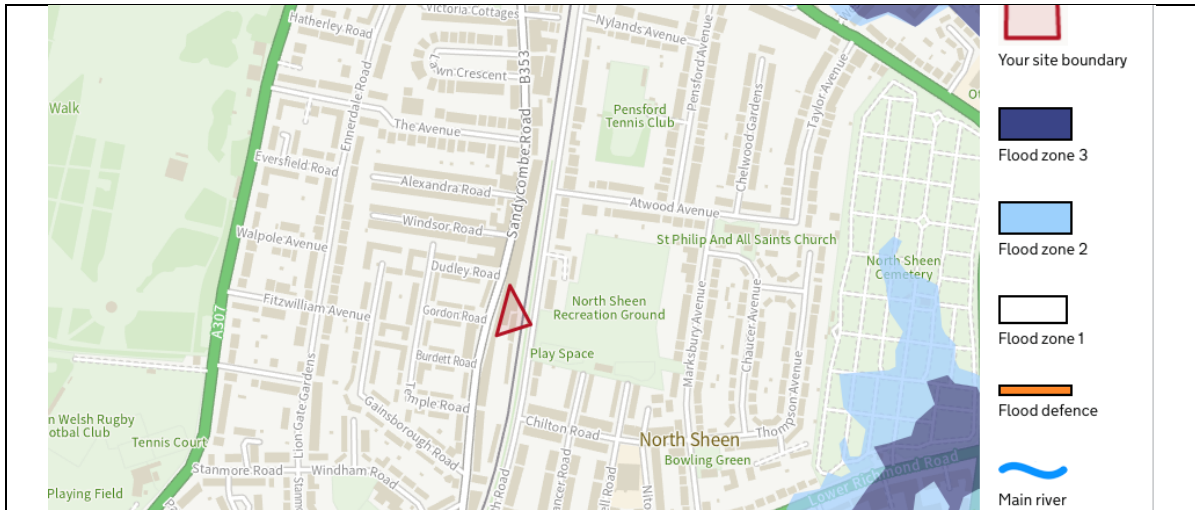
(b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.

(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(1); (iii) the Broads. (iv) a National Park; or (v) a World Heritage Site.	None of these land use designations cover or affect the site.
(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or	N/A

<p>(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.</p>	<p>N/A</p>

Conditions.

<p><i>Development under Class MA is permitted subject to the following conditions.</i></p> <p><i>Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—</i></p>	<p>Response</p>										
<p>(a)transport impacts of the development, particularly to ensure safe site access.</p>	<p>The site is in a good area of public transport accessibility (PTAL 4).</p> <p>In common with the approved prior approval applications to convert units 9-10 and 23 the applicant is willing to agree to a suitably worded condition to secure a car free development. This will ensure that none of the prospective occupiers will be eligible to apply for a parking permit.</p> <p>As detailed the application proposes to provide 2 cycle parking spaces.</p>										
<p>Address or co-ordinates</p> <p>tw9 2ad Go</p> <p>Access level (PTAL) Time mapping (TIM)</p> <p>PTAL: a measure which rates locations by distance from frequent public transport services.</p> <p>Map key - PTAL</p> <table border="0"> <tr> <td>0 (Worst)</td> <td>1a</td> </tr> <tr> <td>1b</td> <td>2</td> </tr> <tr> <td>3</td> <td>4</td> </tr> <tr> <td>5</td> <td>6a</td> </tr> <tr> <td>6b (Best)</td> <td></td> </tr> </table>	0 (Worst)	1a	1b	2	3	4	5	6a	6b (Best)		
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1b	2										
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5	6a										
6b (Best)											
<p>(b)contamination risks in relation to the building.</p>	<p>There are no ground contamination risks. The existing slab foundation would not be broken into. There are no associated risks from asbestos, given the age of construction.</p>										
<p>(c)flooding risks in relation to the building.</p>	<p>The site is in an area of low flood risk (see map extract below)</p>										



Extract from EA's Planning Flood Map.

<p>(d)impacts of noise from commercial premises on the intended occupiers of the development.</p>	<p>This is a predominantly residential area. There are no existing uses which would create undue noise and disturbance.</p>
<p>(e)where— (i)the building is in a conservation area, and (ii)the development involves a change of use of the whole or part of the ground floor,</p>	<p>The site is not in a Conservation Area.</p>
<p>(f)the provision of adequate natural light in all habitable rooms of the dwellinghouses.</p>	<p>An internal daylight sunlight assessment has been submitted with the application which demonstrates that all of the habitable rooms in the proposed development would receive a good level of natural light.</p>
<p>(g)the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and</p>	<p>This is a predominantly residential area. There are no B2 or B8 uses in the vicinity.</p>
<p>where the development involves the loss of services provided by— (i)a registered nursery, or (ii)a health centre maintained under section 2 or 3 of the National Health Service Act 2006(2), the impact on the local provision of the type of services lost.</p>	<p>n/a</p>
<p>Under the amendments to the GDPO (April 2021) (Reg 3) permission will not be granted to any dwelling house permitted under Schedule 2 unless the</p>	<p>The size of the proposed dwelling as annotated on the submitted drawings would comply with the national space standards.</p>

dwelling house complies with the Nationally Described Space Standards (2015).	
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8. Conclusion.

8.1. The council is respectfully asked to grant prior approval for the development as sought.

Andy Hollins

Consultant Chartered Planner

MA MRTPI

July 2024.