

Application reference: 24/0260/FUL HAMPTON WARD

Date application received	Date made valid	Target report date	8 Week date
01.02.2024	17.07.2024	11.09.2024	11.09.2024

Site:

83 Station Road, Hampton, TW12 2BJ,

Proposal:

The change of use of the ground floor and alterations to create two x studio flats (amended description).

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

APPLICANT NAME

Mr Steve Howting
83
Station Road
Hampton
TW122BJ

AGENT NAME

Paul Uttley
Hersham Technology Park
Molesey Road
Hersham
KT12 6RZ
United Kingdom

DC Site Notice: printed on 17.07.2024 and posted on 26.07.2024 and due to expire on 16.08.2024

Consultations:

Internal/External:

Consultee

14D Urban D
14D POL
LBRUT Transport

Expiry Date

31.07.2024
31.07.2024
31.07.2024

Neighbours:

74B Station Road, Hampton, TW12 2AX, - 17.07.2024
70A Station Road, Hampton, TW12 2AX - 17.07.2024
74A Station Road, Hampton, TW12 2AX, - 17.07.2024
74 Station Road, Hampton, TW12 2AX, - 17.07.2024
72 Station Road, Hampton, TW12 2AX, - 17.07.2024
70 Station Road, Hampton, TW12 2AX, - 17.07.2024
72A Station Road, Hampton, TW12 2AX, - 17.07.2024
85 Station Road, Hampton, TW12 2BJ, - 17.07.2024
Sulus Villa, 85A Station Road, Hampton, TW12 2BJ, - 17.07.2024
1 Avenue Road, Hampton, TW12 2BH, - 17.07.2024
Part Ground Floor And First Floor, 77 - 81 Station Road, Hampton, TW12 2BJ, - 17.07.2024
Ground Floor, 77 - 81 Station Road, Hampton, TW12 2BJ, - 17.07.2024
83A Station Road, Hampton, TW12 2BJ - 17.07.2024
83B Station Road, Hampton, TW12 2BJ, - 17.07.2024
25 Plevna Road, Hampton, TW12 2BS -
3 Avenue Road, Hampton, TW12 2BH -

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

Development Management

Status: REF

Application: 02/2524

Date: 18/10/2002

Erection Of Two Storey Rear And Roof Extension

Development Management

Status: GTD Date:30/03/1989	Application:89/0455/FUL Change Of Use Of Ground Floor From Retail Shop To Employment Agency (class A2).
<u>Development Management</u> Status: WNA Date:20/02/1998	Application:97/2543 Siting Of Container For Storage Purposes In Back Yard.
<u>Development Management</u> Status: GTD Date:30/11/1999	Application:99/2468 Demolition Of Existing Toilet Block, Removal Of Existing Portakabin To Be Replaced With Single Storey Extension.
<u>Development Management</u> Status: REF Date:28/04/1981	Application:80/1518 Change of use of ground floor from retail to restaurant with takeaway facilities; erection of a single storey extension at rear to provide toilets, a lean-to extension at the side and relocation of an existing external staircase at rear.
<u>Development Management</u> Status: GTD Date:02/03/1984	Application:83/1422 Erection of single storey extension at rear of shop and installation of new external staircase. (Additional and amended drawings received 11th and 20th January 1984 Nos. 83 SR/1384/1A, 83 SR/3184/4A, 5A, 8A, 9, 83 SR/1611 83/2, 3, 6, 7).
<u>Development Management</u> Status: GTD Date:25/02/1964	Application:64/0024 Rebuilding of existing kitchen and provision of a toilet.
<u>Development Management</u> Status: GTD Date:27/02/1976	Application:75/0864 Demolition of rear extension, self-containing of flat above shop premises and erection of external metal staircase with full height obscured screen.
<u>Development Management</u> Status: GTD Date:07/04/2014	Application:13/4723/FUL Single storey rear extension to shop.
<u>Development Management</u> Status: REF Date:09/12/2021	Application:21/3586/ADV 2 x fascia signage - Halo illuminated lettering 1 x projecting sign
<u>Development Management</u> Status: PDE Date:	Application:24/0260/FUL The change of use of the ground floor and alterations to create two x studio flats (amended description).
<u>Building Control</u> Deposit Date: 28.07.2003 Reference: 03/1471/FP	Two storey rear extension.
<u>Building Control</u> Deposit Date: 18.09.2003 Reference: 03/1471/1/FP	Two storey rear extension.
<u>Building Control</u> Deposit Date: 12.11.2003 Reference: 03/1471/2/FP	Two storey rear extension.
<u>Building Control</u> Deposit Date: 17.12.1999 Reference: 99/2193/FP	Single storey rear extension
<u>Enforcement</u> Opened Date: 27.10.1997 Reference: 97/00373/EN	Enforcement Enquiry

Application Number	24/0260/FUL
Address	83 Station Road Hampton TW12 2BJ
Proposal	The change of use of the ground floor and alterations to create two x 1-bedroom flats.
Contact Officer	Alice Murphy
Legal Agreement	No

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 has 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 complies with relevant Local Plan Policies, the planning officer is taking into account 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 site relates to a two storey semi-detached property located on the south side of Station Road. The ground floor of the property provides for a retail unit/shop current in use by Hampton Bathrooms, a plumbing company. The first floor is in residential use.

It is noted that the adjoining property no.85 had approval for a change of use from retail to residential in 1998.

The site is located within Hampton Village Guidance and is subject to the following site designations:

- Area of Mixed Use – Station Road
- Article 4 Direction restricting basement development
- Area Susceptible To Groundwater Flood - Environment Agency
- Conservation Area – CA12 Hampton Village.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Proposal

The application involves change of use of the ground floor retail unit to provide for two residential units.

The description of development was amended to specify two studio units. It was not considered necessary to re-notify the application to neighbouring properties and the plans remains unchanged.

Planning history

Relevant site planning history include:

- **13/4723/FUL** – single storey rear extension to shop. **Granted.**
- **03/1455/HOT (83 and 85)** – erection of two storey rear extension to number 83 incorporating an additional one bedroom flat and first floor rear extension to no.85. **Granted.**

As noted in the Design and Access Statement submitted, the first floor of No.83 Station Road was utilised as a self contained flat while the ground floor continued operation as Old Use Class A1 (Shop) (approved 1976). In 2003, planning permission was granted for the two storey rear extension to No.83 which allowed for an additional self-contained one-bedroom flat on the first floor. Further to this, in 2014, permission was granted for a further single-storey rear extension providing additional space for the ground floor shop.

4. CONSULTATIONS CARRIED OUT

Public consultation

The list of neighbours notified of this application are listed above. A Site Notice was also published as the site is located within a Conservation Area.

Two observations were received. These outlined the following issues:

- Loss of shop
- Concerns for transport impacts, lack of parking and demand for parking in surrounding roads.

Both the loss of a shop (principle of development) and transport issues are further discussed within section 5 of the report below.

Internal consultation:

LBRuT Transport Officer – no objection. Pre-commencement planning conditions suggested which will require the applicant to submit refuse details and to submit a detailed Construction Management Plan to be approved in writing by the council. Applicant expected to enter legal agreement to restrict parking permits for new units. Details of bike and bin storage to be included as pre-commencement.

LBRuT Urban Design Officer – loss of a retail unit and shopfront is regrettable in design terms but it is considered that the proposed alterations to the front façade would, on balance, have a neutral impact on the character and appearance of the area as they would present as similar to no.85. Design revisions are recommended to relocate the entrance to the front flat to the front of the building to maintain an active frontage alongside that at no.85. New doors and window should be timber. This application is broadly in accordance with policies LP1 and LP3 and also conforms to paragraph 205 of the NPPF (2023). Design revisions are recommended to ensure full policy compliance.

LBRuT Policy – Applying the Council's Tenancy Strategy rent per week and the OMV as evidenced by the Council's Planning Viability Advisor, this results in an affordable housing contribution of £26,624. This contribution as evidenced by the Council's Planning Viability Advisor should be secured via a legal agreement (note that monitoring and legal fees relevant to this application are likely to be added to this sum when the legal agreement is finalised). If there are issues of viability to raise, then financial appraisal information would need to be submitted and the Council would have required this to be independently verified.

Consultee comments are further expended upon and discussed in the professional comments below.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
7. Ensuring the vitality of town centres
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

These policies can be found at:

https://assets.publishing.service.gov.uk/media/669a25e9a3c2a28abb50d2b4/NPPF_December_2023.pdf

London Plan (2021)

The main policies applying to the site are:

- GG1 Building strong and Inclusive communities
- GG2 Making the best use of land
- GG4 Delivering the homes Londoners need
- SD6 Town Centres and high streets
- SD7 Town Centres: development principles and Development Plan Documents
- D3 Optimising site capacity through design-led approach
- D4 Delivering good design

D5 Inclusive Design
D12 Fire Safety
D13 Agent of Change
D14 Noise
SI 5 Water infrastructure
SI 12 Flood risk management
SI 13 Sustainable Drainage
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car Parking
T6.1 Residential Car Parking
T7 Deliveries, servicing and construction

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	Compliance	
Local Character and Design Quality	LP1	Yes	No
Designated Heritage Asset	LP3	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	No
Sustainable Design and Construction	LP20, LP22, LP23	Yes	No
Waste Management	LP24	Yes	No
Development in Centre	LP25	Yes	No
Housing mix, standards and affordability	LP34, 35	Yes	No
Affordable Housing	LP36	Yes	No
Local Economy and Employment	LP40	Yes	No
Parking Standards and Servicing	LP45	Yes	No

These policies can be found at
https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Richmond Publication Local Plan (Regulation 19 version)

The Richmond Publication Version Local Plan (Regulation 19 version) and its supporting documents, including all the Regulation 18 representations received, was considered at Full Council on 27 April. Approval was given to consult on the Regulation 19 Plan and, further, to submit the Local Plan to the Secretary of State for Examination in due course. The Publication Version Local Plan, including its accompanying documents, have been published for consultation on 9 June 2023. Together with the evidence, the Plan is a material consideration for the purposes of decision-making on planning applications.

The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Local Plan to be sound and legally compliant, officers and Councillors should accord the policies and allocations relevant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Note that it was agreed by Full Council that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95/t will continue to be applied; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement at this stage; all other aspects and requirements of these policies will apply.

The main policies applying to the site are:

Issue	Reg 19 Local Plan
Local Character and Design Quality	28
Designated Heritage Assets	29
Non- Designated Heritage Assets	30
Impact on Amenity and Living Conditions	46
Climate change adaption, flood risk and sustainable drainage	4, 8

Sustainable design and construction	6
Development in centres	18
New Housing, Housing Mix and Standards, Affordable Housing	10, 11, 13
Waste management	7
Sustainable travel choices	47
Parking standards and servicing	48

These policies can be found at

https://www.richmond.gov.uk/media/fomccpcf/publication_local_plan_low_resolution.pdf

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.

Supplementary Planning Documents

- House Extensions and External Alterations SPD (2015)
- Conservation Areas and CA12 Conservation Area Statement/Study
- Design Quality SPD (2006)
- Affordable Housing SPD (2014)
- Planning Obligation Strategy SPD (2020)
- Small and Medium Housing Sites SPD (2006)
- Refuse and Recycling Storage Requirements SPD (2015)
- Residential Development Standards SPD (2010) Incorporating Nationally Described Space Standards
- Hampton Village Planning Guidance SPD (2017)
- Transport SPD (2020)
- Sustainable Construction Checklist SPD (2020)

These policies can be found at:

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:

- Article 4 Direction – basement development
- Community Infrastructure Levy

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Principle of development
- ii Affordable Housing
- iii Design
- iv Residential Standards

- v Impact on neighbour amenity
- vi Parking and Refuse
- vii Sustainability
- viii Fire Safety

Issue i – Principle of development

Creation of additional units

London Plan Policies H1 and H2 set the general expectation for increasing housing supply, and expect a positive approach to small sites (below 0.25ha). London Plan Policy H8.A suggests the loss of existing housing should be replaced by new housing at existing or higher densities. Paragraph 4.2.4 on incremental intensification expects this in existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary.

The site is within a designated Area of Mixed Use where smaller units are anticipated, however consideration must be given to the PTAL rating of 2, indicating relatively poor provision of public transport.

In this context, additional units (net gain of 1 unit) could in principle be in accordance with the London Plan and policy LP34, however the impacts need to be assessed against all development plan policies.

Policy LP 38 of the Local Plan Loss of Housing outlines that existing housing should be retained. Paragraph 9.5.7 outlines that conversions of larger types of houses to flats can provide the opportunity to meet the need for small units. However, it must be recognised that only certain types of property are suitable for conversion, and that there are some areas where conversions would be incompatible with the existing character of the area or lead to unacceptable parking condition. In considering the suitability of a property for conversion, the council will take into account:

- The size of the property and its physical characteristics, including layout and size of rooms;
- On-street parking conditions and on-street parking restrictions, the adequacy of bus and rail transport and on-site parking proposed;
- The amount of off-street parking which would be appropriate and its location;
- The impact on the established character of existing residential areas;
- The impact on the amenities of adjoining premises, in accordance with Policy LP8
- The extent to which to property contributes to meeting specific community needs in accordance with Policies LP37.

Para 9.5.8 notes that, where acceptability in principle, the design needs to provide a satisfactory standard of accommodation in accordance with Policy LP 35.

The proposal does not involve the loss of housing. The existing shop unit would be converted (along with the change of use) into 2 new units.

Policy LP34 of the London Borough of Richmond upon Thames Local Plan 2018 states: *The Borough's target is 3,150 homes for the period 2015-2025. This target will be rolled forward until it is replaced by a revised London Plan target. The Council will exceed the minimum strategic dwelling requirement, where this can be achieved in accordance with other Local Plan policies.* Policy H1 of the New London Plan sets the ten-year targets for net housing completions that each local planning authority should plan for. The London Borough of Richmond target is 4,110 for a ten year period (2019/20 -2028/29). The new London Plan also stresses the importance of small sites, in delivering housing targets (paragraph 68 of the NPPF and Policy H2 of the London Plan). In LB Richmond, the new London Plan sets a target for over half of houses to be delivered through small sites at 234dpa.

Local Plan Policy LP35A states that Development should generally provide family sized accommodation, except within the five main centres and Areas of Mixed Use where a higher proportion of small units would be appropriate. The housing mix should be appropriate to the site-specifics of the location.

The proposal involves the conversion to create two studio units.

The site is located on Station Road, Area of Mixed Use in Hampton. The site falls within PTAL 2. Whilst the PTAL is relatively low, given the siting within a mixed use area, the provision of providing small units in this location is considered appropriate.

The scheme is considered to comply with LP34 and LP35.

Loss of commercial floor space unit

The site is located within an Area of Mixed use therefore policy LP25 applies, relating to development in centres. The policy seeks to protect retail units that contribute to local character. Paragraph 7.1.9 specifies that Local and neighbourhood centres as well as parades of local importance provide a focus for local communities and opportunities to meet, shop, work and spend leisure time. Further, the borough needs to retain premises in commercial and community use in order to maintain and support centres, protect their vitality and to meet the need for additional retail floorspace.

Further, policy LP40 Employment and Local Economy also seeks to and in employment use should be retained in employment use for business, industrial or storage purposes.

Where a proposal involves a change of use not supported by policy, the Council will require satisfactory evidence of full and proper marketing of the site to illustrate that the loss of the unit is acceptable. It is noted that the unit is currently in use.

The proposal will result in the loss of the entire ground floor shop unit, however no marketing has been presented to demonstrate acceptability.

The scheme fails to be compliant with LP25 and LP40.

The Design and Access Statement submitted makes reference to the permitted development rights available to Class E conversions, however the current application is for planning permission and as such must be assessed against the development plan. Notwithstanding this, no permitted development prior approval has been sought for this conversion.

Issue ii – Affordable Housing

Policy LP 36 expects 50% of all housing units will be affordable housing, this 50% will comprise a tenure mix of 40% of the affordable housing for rent and 10% of the affordable intermediate housing. Further, the affordable housing mix should reflect the need for larger rented family units and the Council's guidance on tenure and affordability, based on engagement with a Registered Provider to maximise delivery.

Policy LP 36 (Reg 19 Local Plan Policy 11) requires contributions for affordable housing from all small sites on a gross basis, further details are set out in the Affordable Housing SPD. The contribution that would be sought, given the type of site and number of dwellings proposed would be 8% affordable housing, based on the proposal and site type. The applicant did not provide a commuted sum spreadsheet with the full application.

The submitted commuted sum has incorrectly been completed.

On this basis, using the Council's Tenancy Strategy rent per week and the OMV as evidenced by the Council's assessment of similar comparables, this results in an affordable housing contribution of £26,624. This amount is significantly lower than the submitted commuted sum spreadsheet (£56,496), due the higher affordable housing percentage applied by the applicant within the submitted commuted sum spreadsheet. The amount (£26,624) should be secured via a legal agreement (note that monitoring and legal fees relevant to this application are likely to be added to this sum when the legal agreement is finalised). If there are issues of viability to raise, then financial appraisal information would need to be submitted and the Council would require this to be independently verified.

An affordable housing contribution is therefore not been agreed and a S106 to secure the AHC remains to be completed. The scheme therefore fails to be consistent with Local Plan policy LP36.

Issue iii - Design

Policy LP1 of the Local Plan requires all development to be of high architectural and urban design quality and compatible with local character in terms of development patterns, scale, height and design.

83 Station Road Hampton is an early 20th century semi-detached shop with residential accommodation above within the Hampton Village Conservation Area. It presents as a two-storey gabled range with the gabled end facing the street. Originally built as a pair of shops with residential above, the right-hand unit (no.85) was converted into residential use in 1998 with the loss of the shopfront and installation of an entrance door and two small windows. A two-storey rear extension was added to the rear of the building in 2003. The left-hand unit (no.83) currently remains in retail use but with a wholly modern shopfront aside from the pilasters and corbels. The flank wall of no.83 is highly visible from Station Road due to the adjacent car park providing a break in the streetscape.

The building as a whole has been heavily altered, with the large extension obscuring its original form. The front elevation features unsympathetic uPVC doors and windows which detract from the appearance of the building.

More widely, the significance of the Hampton Village Conservation Area is defined by its built form, ranging in date from 16th-21st centuries, with many buildings of high architectural quality and strong historic and visual relationship with the river.

The Station Road character area comprises the predominantly 19th century development which arose following the arrival of the railway in 1846. It forms a small mix-used enclave to the west of the historic village core, exemplifying the transition from a rural commercial settlement to a more suburban residential area. This in turn reflects the urbanisation of the wider area in the late 19th and 20th centuries.

This application is for the removal and bricking up of the shopfront in association with conversion of ground floor into two studio apartments. Alterations to the flank elevation are also proposed.

The loss of a retail unit is regrettable as a defining characteristic of this section of Station Road is the small-scale commercial use which reflects the historic development of Hampton as the commercial centre shifted away from the historic core and towards the station following the arrival of the railway. There would be no loss of historic fabric as the shopfront is not historic but there would also be the loss of an active frontage with the replacement of the shopfront with a brick façade with two sash windows and the siting of the entrance to the flats on the flank elevation. The bricking up of the shopfront would retain the existing pilasters, corbels, and fascia (similar to no.85) which is welcome and would retain a small element of the building's historic character as a shop. The scheme has been reviewed in detail by the Council's Conservation Officer who notes the design and positioning of the windows are intended to reflect those on the first floor. However, the locating of two windows, instead of the entrance door, results in a blank, inactive front façade which would also unbalance the front elevation of the building given that no.85 features the main entrance on the front building. In order to achieve a higher design quality and maintain an active frontage to no.83 it is recommended that the entrance to the front flat is relocated to the front of the building with a design similar to that at no.85. This would have been a requested amendment should the scheme have been overall acceptable.

New doors and windows should be timber, not uPVC. Although it's noted the presence of uPVC windows to the first floor of no.83, these appear to have been installed without consent between July 2016 and August 2017 (according to historic Streetview imagery). They have a negative impact on the appearance of the building and further poor-quality windows would not be supported. Similarly, new doors should be timber, not uPVC or composite, to achieve a higher design quality.

Overall, the loss of a retail unit and shopfront is regrettable but it is considered that the proposed alterations to the front façade would, on balance, have a neutral impact on the character and appearance of the area as they would present as similar to no.85. Design revisions would have been requested to relocate the entrance to the front flat to the front of the building to maintain an active frontage alongside that at no.85.

This application is broadly in accordance with policies LP1 and LP3 and also conforms to paragraph 205 of the NPPF (2023).

Issue iv - Residential Standards

Policy LP 35 of the Local Plan refers to the acceptability of the mix of housing, standards and layout. Policy LP 35(A) states that development should generally provide family-sized accommodation, except within the five main centres and Area of Mixed Use, where a higher proportion of small units would be appropriate.

Policy LP 35(B) requires new housing to comply with the Nationally Described Space Standards (NDSS). The minimum standards are outlined below:

- A double bedroom should be 11.5sqm and 2.75m wide
- A single bedroom has a floor area of at least 7.5sqm and is at least 2.15m wide
- Head height should be at least 2.3m for a minimum of 75% of the gross internal floor

Two studio units are proposed at ground floor level. Both units are approximately 47sqm, thereby complying with the NDSS for studio units (1 x 1 person) which requires a minimum of 40sqm.

The ground floor flat will be accessed by the side alley way with a new covered access extension proposed. The unit will provide for a 3 person, 2 bedroom unit. The flat will be 82sqm, therefore complying with the NDSS which requires 61sqm.

The proposed internal layout of the units is also considered acceptable given dual aspect for the main living areas with the main outlook being to the front and rear.

The rear amenity space will be divided to provide space for both of the two flats proposed. This is again considered acceptable.

Inclusive access

With regard to LP35 (E), the optional Building Regulation M4(2) cannot be applied to conversions and change of use proposals, therefore it would not be applicable; the mandatory M4(1) would be applicable, as that is the default it would need to be secured by condition. An inclusive access statement has been provided with the application, indicating measures which can be included for the two units.

Issue v- Impact on Neighbour Amenity

Policy LP 8 of the Local Plan outlines that all development will be required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. The Council will:

- 1. ensure the design and layout of buildings enables good standards of daylight and sunlight to be achieved in new development and in existing properties affected by new development; where existing daylight and sunlight conditions are already substandard, they should be improved where possible;*
- 2. ensure balconies do not raise unacceptable overlooking or noise or disturbance to nearby occupiers; height, massing or siting, including through creating a sense of enclosure;*
- 3. ensure that proposals are not visually intrusive or have an overbearing impact as a result of their height, massing or siting, including through creating a sense of enclosure;*
- 4. ensure there is no harm to the reasonable enjoyment of the use of buildings, gardens and other spaces due to increases in traffic, servicing, parking, noise, light, disturbance, air pollution, odours or vibration or local micro-climatic effects.*

The scheme largely involves internal alterations with alterations to fenestration. Alterations to the previous shopfront are not considered to impact the amenity of residents in the immediate area.

A condition would have been included to ensure that the amenity areas are appropriately screened prior to occupation.

The scheme is considered consistent with LP8.

Issue vi – Parking and Refuse

Local Plan Policy LP45 states that the Council will require new development to make provision for the accommodation of vehicles in order to provide for the needs of the development while minimising the impact of car based travel including on the operation of the road network and local environment, and ensuring making the best use of land.

Access

Pedestrian access will be from Station Road and both units are accessed from the side passage on the east side of the property.

Car parking

Car free development is proposed. The site is not located within Controlled Parking Zone and the site has a PTAL score of 2. Although The Council's Transport Officer has raised no objection, the Transport statement submitted provides limited justification or transport information other than public transport options and the PTAL score.

Given the site is not located within a Controlled Parking Zone, it would be reasonable for the Council to restrict occupants from obtaining parking permits should a CPZ be implemented in future.

The scheme is unable to be considered consistent with LP45.

Cycle parking

Policy LP 45 also encourages cycle parking and states that this should be provided in accordance with the London Plan. Cycle parking should be provided at a minimum level of 2 spaces in accordance with London Plan Policy requirements. These need to be designed and built-in accordance with guidance set out in the London Cycle Design Standards.

Details of storage could have been included as a condition, however no indication of where these will be stored for each flat has been provided.

Refuse and recycling

Policy LP 24 of the Local Plan sets out that “all developments, including conversions and changes of use are required to provide adequate refuse and recycling storage space and facilities.” Guidance is also set out in the Council's Refuse and Recycling Storage SPD.

Again, details of storage could have been included as a condition. The proposed site plan indicates that these can be accommodated along the side passageway.

Construction Management

Should the scheme have been considered acceptable, a pre-commencement planning condition would have been included. See the link below for advice on what information we need: https://www.richmond.gov.uk/media/22165/construction_management_plan_guidance_notes.pdf

Issue vii – Sustainability

Policy LP 20 of the Local Plan (2018) encourages development proposals to be fully resilient to the future impacts of climate change which can be done through careful design of its layout, design, construction, materials, landscaping.

Policy LP22 of the Local Plan (2018) states Developments will be required to achieve the highest standards of sustainable design and construction to mitigate the likely effects of climate change.

Development that results in a new residential dwelling 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).

A BREEAM Pre-Assessment Report has been provided, along with an Energy Report and a completed sustainable construction checklist.

The report concludes a preliminary score of 73.51% can be achieved for the proposed change of use ('excellent'). The report confirms that the required water conservation methods of 105L per person per day can be achieved and that the scheme will meet the Council's standards in terms of energy efficiency and will achieve the minimum 35% reduction in CO2 emissions over Building Regulations (2013) in line with Policy LP22 of the Local Plan, specifically 37.26% for Flat 1 and 36.27% for Flat 2.

Policy LP 22 of the Local Plan states that developments should achieve sustainable design and construction in effort to mitigate the likely effects of climate change. The application includes a completed Sustainable Construction Checklist which sets out the proposal achieves a score of 20, failing the matrix scoring system specified in the SCC. Whilst the SPD specifies 'All residential development providing 1 or more new dwellings, including conversions and extensions that create one or more new dwellings', the guidance also specifies that 'Other classes of development, which require planning permission but do not fit into the above categories, specifically including conversions or extensions of residential or non-residential development, are encouraged to comply with the Checklist as far as possible.' Given the development involves the subdivision of an existing shop into two small residential units, it is considered that this has been addressed as far as practicable.

On balance, the scheme is considered to be consistent with policies LP20 and LP22.

Issue ix - Fire Safety

A Fire Safety Strategy was submitted with the application, received on 11th July 2024. A condition would have been included to ensure this is adhered to on an ongoing basis. 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. Overall, the scheme can therefore be considered consistent with this Policy D12(A) of the London Plan.

7. 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 Officer Planning Report – Application 24/0260/FUL Page 11 of 14

is subject to confirmation by the CIL Administration Team.

8. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application process.

For the reasons set out above, it is considered that the adverse impacts of allowing this planning application would significantly outweigh the benefits, when assessed against the policies in NPPF (2019) and Development Plan, when taken as a whole.

Refuse planning permission

Recommendation:

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

I therefore recommend the following:

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

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

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

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

This application has representations on file YES NO

Case Officer (Initials):AMU.....

Dated:29/08/2024.....

I agree the recommendation:

~~Team Leader/Head of Development Management/Principal Planner~~

Dated:ELE 09/09/2024.....

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

Head of Development Management:

Dated:

REASONS:
CONDITIONS:
INFORMATIVES:

UDP POLICIES:
OTHER POLICIES:

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

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

U0188527	Reason - Affordable Housing
U0188528	Reason - Loss of retail/shop unit

INFORMATIVES

U0094074	Decision Drawings
U0094073	NPPF REFUSAL - Para. 38-42