



A Multi-Disciplinary Planning
& Development Consultancy

Development Management,
London Borough of Richmond upon Thames,
Civic Centre,
44 York Street,
Twickenham
TW1 3BZ

My reference:

Your reference:

By Email: envprotection@richmond.gov.uk

19th December 2024

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015, SI 2015/596
APPLICATION FOR DETERMINATION AS TO WHETHER PRIOR APPROVAL IS
REQUIRED: CLASS MA
1b (SANDFORD HOUSE) AND 1c (JARDINE HOUSE) CLAREMONT ROAD,
TEDDINGTON TW11 8DH.**

1. We submit this letter in support of an application to the Council on behalf of Bright Hill Ltd in respect of this proposal to convert the existing Class E(g)(i) office building to 11no self-contained flats (Class C3 Use).
2. This application is accompanied by floor plans and elevations of the existing and proposed building, the existing and proposed site plan/block plan and the location plan of the site. In respect of supporting experts reports, the following reports accompany this application:
 - a. BRE-compliant internal daylight report
 - b. Transport and highways technical note
 - c. Letter from Sovereign Building Contractors dated 24th August 2001
 - d. Copy of the approved building control certificate in 2001 when the office was built
3. The existing building comprises two 2-storey office buildings with loft space, built in 2001 comprising 548 sqm of office accommodation, located on the northern side of Claremont Road, Teddington ward. To the west of the site is the junction with Waldegrave Road. The predominate building use in the area is residential although there is area is a mix of office and commercial also, with a range of building types. Some of the office blocks on the south side of Claremont Road have been granted prior approval for conversion to residential, most recently No. 2C (Gerald House) in February 2021 under application ref. 20/0857/GPD15.

4. The site is not listed and is not in a conservation area though there are a number of locally-listed Buildings of Townscape Merit (BTMs) nearby, including No. 82 Waldegrave Road to the south west.
5. The following site constraints and designations apply:
 - a. Article 4 Direction restricting basement development
 - b. Main Centre Buffer Zone (Teddington)
 - c. Village Character Area (Hampton Wick and Teddington – Area Two, Cambridge Road and surrounds)
6. The site has a Public Transport Accessibility Rating (PTAL) of 3 which is considered moderate on a scale of 0 to 6b with 0 being worst and 6b being best. Controlled Parking Zone (CPZ) T1 – North Teddington is in operation Mondays to Fridays 10am to 4.30pm (Bank and Public holidays free). Occupiers of Jardine and Sandford House are eligible for parking permits.
7. The site is within Flood Zone 1 with a low probability of flooding and a low risk of surface water flooding. The site is well-served by local roads and has the use of up to 3no off-street car parking spaces.
8. “Class MA” permitted development rights came into force on 1st August 2021, and was amended with effect from 5th March 2024 by SI 2024/141 and states the following:

Permitted development

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 not permitted

MA.1 Development is not permitted by Class MA —

(a)...

(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;

(c) ...

(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;

(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;

(iii) the Broads;

(iv) a National Park; or

(v) a World Heritage 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

(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.

(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

Conditions

MA.2 (1) Development under Class MA is permitted subject to the following conditions:

(2) 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—

(a) transport impacts of the development, particularly to ensure safe site access;

(b) contamination risks in relation to the building;

(c) flooding risks in relation to the building;

(d) impacts of noise from commercial premises on the intended occupiers of the development;

(e) where—

(i) the building is located in a conservation area, and



(ii) 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;

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

(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;

(h) 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,

the impact on the local provision of the type of services lost and

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

9. Development under Class MA is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date, and the provisions of paragraph W (prior approval) apply in relation to that application, subject to amendment, including that development may begin after *“the expiry of 56 days following the date on which the application under sub-paragraph (2) was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused”* (GPDO 2015, Schedule 2, Part 3, Class V, Paragraph W(11)(c)).

Planning and Use History

10. The site used to be occupied by car repair garage until it was developed into offices in 2000; LPA reference: 00/0396, granted the 19th May 2000.
11. Other than the application to clear conditions and an application to slightly increase the footprint (see below) there have been no further planning application on the site since this date save the below granted Class O PD right.
12. There were no planning conditions imposed on the 2000 consent or Article 4 Directions passed and in force since that withdraw Class MA permitted development rights from this site.
13. The only other relevant planning application relating to the history of this site concerns: *“Conversion of offices in Sandford House into 6 self-contained flats and Jardine House into 4 self-contained flats”*; LPA reference: 21/0313/GPD15, granted on 30th April 2021.
14. This application was determined and approved under Class O, the statutory predecessor to Class MA. The considerations as applied in that case with respect to Class O.2 apply too in this case in respect of Clas MA.2: transport and highways impact; contamination and flood risk; noise impact; the provision of adequate natural light.
15. The whole of both buildings is listed on the current Business Rates list as *“offices and premises”*:

Address	Description
1 St Fl Sandford House 1b, Claremont Road, Teddington, Middx, TW11 8DH	Offices and premises
2 Nd Fl Sandford House 1b, Claremont Road, Teddington, Middx, TW11 8DH	Offices and premises
Gnd Fl Left Sandford House 1b, Claremont Road, Teddington, Middx, TW11 8DH	Offices and premises
Gnd Fl Right Sandford House 1b, Claremont Road, Teddington, Middx, TW11 8DH	Offices and premises
Suite 1 Jardine House 1c, Claremont Road, Teddington, Middx, TW11 8DH	Offices and premises
Suite 2 Jardine House 1c, Claremont Road, Teddington, Middx, TW11 8DH	Offices and premises
Suite 3 Jardine House 1c, Claremont Road, Teddington, Middx, TW11 8DH	Offices and premises
Suite 4 Jardine House At 1c, Claremont Road, Teddington, Middx, TW11 8DH	Offices, office and premises
Suite 5 Jardine House At 1c, Claremont Road, Teddington, Middx, TW11 8DH	Offices, office and premises

16. Therefore, the use of the whole of both properties falls in to Use Class E and has been so for at least 2 years.

17. Currently, the properties are occupied, and leases/license can be provided upon request.

The Proposals

18. The proposals comprise the following:

- Change of use of the existing office floor space from Class E use to 11 flats (Use Class C3).
- Car-parking proposed for 3no off-street car parking spaces.
- Cycle parking to be provided for 17 bicycles.
- Space reserved for bin storage capacity providing 3 x 1,100 litre Eurobins.
- No external alterations nor any works of extension or demolition proposed within this application.

19. The proposed units would comply with Nationally Described Space Standards and the plans submitted with this letter confirm the same.

20. The following are enclosed:

- Site location plan showing the application site in red outline.
- Site Plan/block plan showing proposed access.
- A full set of existing and proposed floor plans and elevations
- Prior Approval Application Form
- Internal daylight report
- Transport Note
- Letter from Sovereign Building Contractors dated 24th August 2001
- Copy of the approved building control certificate when the office was built
- Community Infrastructure Levy Form no.1

In accordance with Condition MA.1

21. Our comments are set out below in respect of each condition.

22. Development is not permitted:

(a) ...

(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 building has been in Class E(g)(i) office use class for at least 2 years prior to the date of the application.

(c) ...

(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;

None of the above apply.

(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;

(iii) the Broads;

(iv) a National Park; or

(v) a World Heritage Site;

None of the above apply.

(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*

Not applicable.

(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.

Not applicable.

In accordance with Condition MA.2

23. We require confirmation from the Council that prior approval is not required for the proposed new units in relation to the transport and highways impacts, noise impact of neighbouring commercial uses, contamination risks, flooding risks of the site and with regard to daylight and sunlight and the conservation area status of the site. Each of these elements is addressed in the following sections. The other matters listed under Class MA.2(2) do not apply to this application.

Paragraph W of the GPDO 2015 (as amended)

24. The following is provided in accordance with the requirements of paragraph W:

- Written description of the proposed development
Change of use Class E(g)(i) office and premises to provide eleven self-contained flats.

- Plan indicating the site and showing the proposed development

Appropriate plans are included with this application. Dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations all as shown on the enclosed plans.

- Statement indicating the net increase in the proposed number of dwellings
Proposed net number of 11 no new dwellings

- Developer's contact details
Bright Hill Limited,
c/o David Kemp,
DRK Planning Ltd,
215 Alfred Court,
53 Fortune Green Road,
London, NW6 1DF

- Developer's email address
All correspondence to be addressed to the following email address:
david@drkplanning.co.uk

Transport and Highways Impact

25. Local Plan Policy LP44 states that the Council will work in partnership to promote safe, sustainable and accessible transport solutions, which minimise the impacts of development including in relation to congestion, air pollution and carbon dioxide emissions, and maximise opportunities including for health benefits and providing access to services, facilities and employment.

26. Highways officers commented on the previous scheme (21/0313/GPD15). They did not object to the proposals, which at that time were for 10 new apartments.

27. We now submit a Transport Note in support of these proposals from 'Transport Planning Practice'. This concludes as follows:

- a. The site benefits from reasonable access to public transport services. Set out in the following paragraphs are details of the local public transport services, which includes good access to bus services being within a short walking distance to several bus routes which provide an alternative sustainable option to using private cars for some trips.
 - b. The T1 controlled parking zone includes Claremont Road and other nearby residential roads and is operational Mondays to Fridays 10am to 4.30pm (excluding public holidays). The commercial occupiers of Jardine and Sandford House are eligible for parking permits.
 - c. The site benefits from being within a few metres from a car club vehicle operated by Zipcar situated on Claremont Road near the junction with Waldegrave Rd. Another Zipcar vehicle is situated on Kingston Lane.
 - d. All the local amenities are easily accessible by walking or cycling. The pedestrian infrastructure in the local area is suitable for people of all abilities.
 - e. The site location benefits from a reasonable number of suitable routes for cycling.
28. During the weekday peak hour period there will be a net reduction in trips generated by the residential accommodation compared with the office land use. This is primarily because the potential number of staff in the office accommodation is circa 37 which is higher than the potential number of residents in the 11 new dwelling units. The potential number of staff is based on the Employment Density Guide which indicates one employee per 12sqm of net internal area of the office unit, and the net internal area is 80% of 548sqm GIA floorspace.
29. 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. Part 1 states that the Council will achieve this by requiring new development to provide for car, cycle, two-wheel and, where applicable, lorry parking and electric vehicle charging points, in accordance with the standards set out in Appendix 3. Opportunities to minimise car parking through its shared use will be encouraged. Appendix 3 – Parking Standards requires a one-bedroom dwelling with a PTAL between 0 to 3 to provide one parking space.
30. On this basis the three parking spaces serving the 11 apartments is likely to meet most of the parking demand meaning only a few if any residents may seek to apply for an on-street parking permit. The site's good accessibility to various services and amenities means not owning a vehicle is a viable arrangement for residents in the proposed apartments.
31. The proposed cycle parking would ensure at least 17no cycle spaces meets the cycle parking standards for this proposal set out in the London Plan 2021, Policy T5, as well as in Chapter 8 of the London Cycling Design Standards (TfL).
32. A bin store of enclosure is proposed at ground floor level between the two buildings and is intended to comprise space for 3 x 1,100 litre bins with residents responsible for placing waste and recycling in the relevant bins. We have discussed the proposed refuse and recycling storage provision with the Waste and Street Cleansing team with regard to the 'Refuse and Recycling: Storage and Access Requirements for New Developments SPD (December 2022)' and they were satisfied with the provisions being offered.
33. The proposed scheme is consistent with relevant transport planning policy guidance and will not give rise to any material transport-related impacts. It therefore meets the test of the NPPF 2024 at paragraph 116, which states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

34. Therefore, this proposal should be regarded as acceptable in highways terms.

Noise Impact

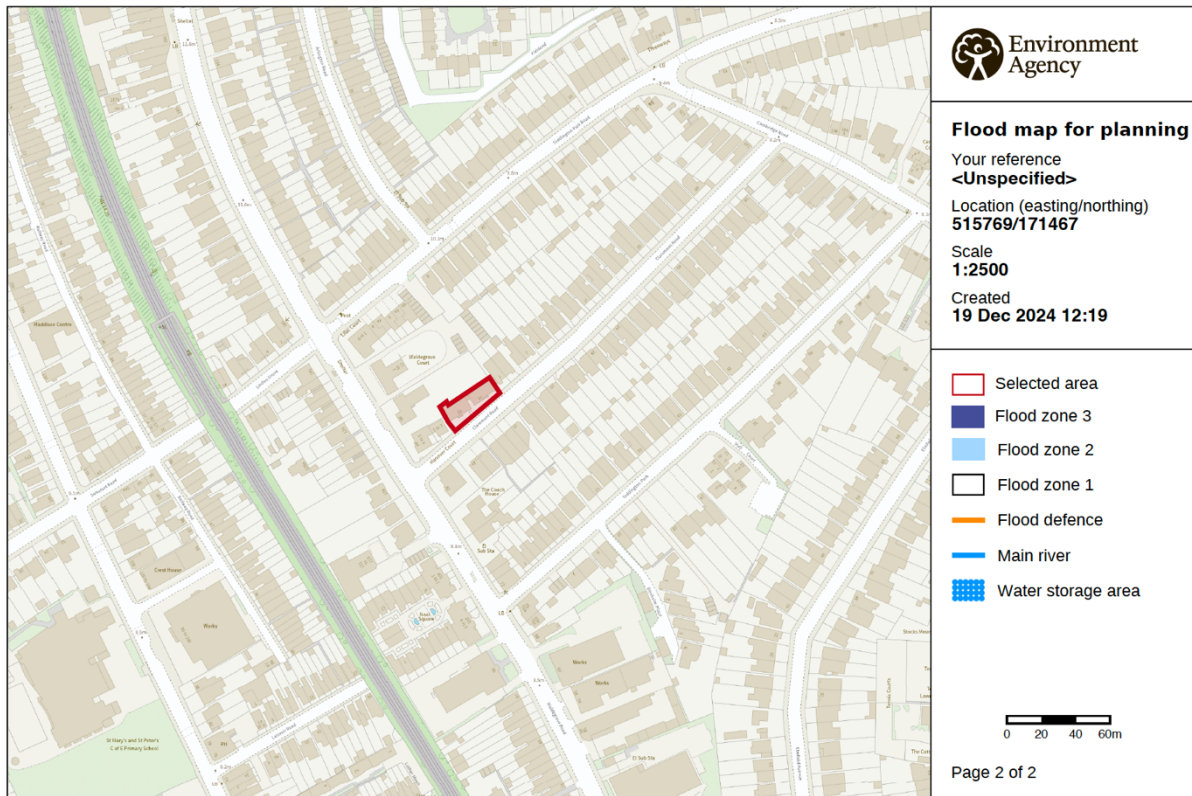
35. Local Plan Policy LP10 states that the Council will seek to ensure that the local environmental impacts of all development proposals do not lead to detrimental effects on the health, safety and the amenity of existing and new users or occupiers of the development site or the surrounding land.

36. The site is located in a predominantly residential area. There are no commercial premises nearby that are considered to generate noise from plant, machinery, or disturbance from delivery vehicles impacting any amenity area, or internally, to any dwelling. It is therefore considered that the application would be acceptable in this respect.

37. Accordingly, the proposal would meet an acceptable level of amenity with regard to noise for future residential occupiers of this development.

Flood risk assessment

38. The site as set out within the Location Plan and Site/ block plan is in Flood Zone 1 and within an area of low risk from surface water flooding:



39. Local Plan Policy LP21 states that all developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking into account of climate change, and without increasing flood risk elsewhere. Therefore, the proposed change of use represents an acceptable level of risk in flood terms.

Contamination assessment

40. Local Plan Policy LP10 states that the Council will seek to ensure that the local environmental impacts of all development proposals do not lead to detrimental effects on the health, safety and the amenity of existing and new users or occupiers of the development site or the surrounding land.
41. The Council's Environmental Health officer was consulted on the previous proposal (21/0313/GPD15) and had advised that there is an absence of records clarifying the land's potential for contamination at the time of the building's construction. It is understood that at least one storage tank was on the site before the development of the then new-build. We attach with this letter evidence that the storage tanks were removed and the land back-filled, remediated and made good; see letter from Sovereign Building Contractors dated 24th August 2001. Furthermore, a Building Control Certificate was issued on the completion of the building.
42. If officers consider that a planning condition is required or further information would be helpful in this respect then we would be happy to discuss this prior to a recommendation being drafted.
43. With regard to the current use of the properties as offices, there is no known contamination risk to the proposals, especially as there would be no breaking of ground or soil in connection with the proposals.

Adequate Natural Light

44. Policy LP8 of the Local Plan states all development will be required to protect the amenity and living conditions for occupants of new properties. Part 1 states that the Council will ensure the design and layout of buildings ensures good standards of daylight and sunlight to achieves in new development.
45. An internal daylight assessment and report accompanies this application, as the GPDO requires "adequate natural light" to the habitable rooms proposed. This report confirms that there would be adequate natural light to the new units, with regard to BRE Guidance.
46. Therefore, the proposed change of use would provide adequate levels of natural light to all habitable rooms.



Conclusions

47. The proposed change of use of this property to 11no apartments presents no transport and access, contamination, noise, flood risk or natural light concerns.
48. Therefore, we ask that this application should be granted subject to such planning conditions as the Council considers appropriate.

Yours faithfully,

David Kemp BSc(Hons) PGDL MRICS Barrister*
Director
DRK Planning Ltd
(*non-practising member)