

DELEGATED REPORT

REF No: 18/12798/FUL
SITE: 96 RICHMOND ROAD, KINGSTON UPON THAMES

WARD: Canbury

PROPOSAL:

Change of use from Class A2 (Financial & Professional Services) to Class C3 (Residential) to ground and basement floors. Conversion of office into 1 x 1 bedroom flat.

Plan Type: Full Application

Expiry Date: 29/11/2018

APPLICANT'S PLAN NOS:

1809-1497 Existing Elevations & Floor Plans	Received	21/09/2018
1809-1498A Proposed Elevations & Floor Plans	Received	26/11/2018
1809-1498B Proposed Front Elevation Plan	Received	26/11/2018
1809-1498C Proposed Ground Floor Plan	Received	26/11/2018
Block Plan	Received	21/09/2018
Design Statement	Received	21/09/2018
Site Location Plan	Received	21/09/2018
Legal Agreement	Received	21/12/2018

PLANNING POLICY GUIDANCE/PLANNING POLICY STATEMENTS

DEVELOPMENT PLAN:

Mayor for London
London Plan March 2016 (consolidated with alterations since 2011)
LDF Core Strategy Adopted April 2012

POLICIES

	LONDON PLAN MARCH 2016
LP 6.13	Parking
LP 6.9	Cycling
LP 7.4	Local Character
LP 7.6	Architecture
	LDF CORE STRATEGY CORE POLICIES
CS 08	Character, Heritage and Design
CS 10	Housing Delivery
	LDF CORE STRATEGY DEVELOPMENT MANAGEMENT
DM08	Sustainable Transport for New Development
DM09	Managing Vehicle Use for New Development
DM10	Design Requirements for New Developments
DM17	Protecting Existing Employment Land and Premises

CONSULTATIONS

1. 56 neighbouring properties have been consulted and no representations have been received.
2. Statutory, Non-Statutory and Internal Consultations
 - RBK Neighbourhood Traffic Engineer: No response received.
 - RBK Waste & Recycling: No response received.
 - RBK Climate & Sustainability: No response received.
 - RBK Borough Valuer: No response received.
 - RBK Street Naming & Numbering: No response received.
 - RBK DC & Cycle Parking: No response received.
 - RBK Policy Planning: No response received.
 - Historic England Archaeology Officer: No objections. The proposal is unlikely to have a significant effect on heritage assets of archaeological interest.
 - Thames Water Development Planning: No response received.

SITE AND SURROUNDINGS

3. The site comprises a three storey end of terrace building, sub-divided into offices at ground floor and residential at first and second floors, located on the east side of Richmond Road.
4. The surrounding area is mixed in character and appearance.
5. The site does not contain a Listed Building and is not located within a Conservation Area. The site falls within the Kingston Town Centre Area of Archaeological Significance. The site falls within the Kingston Town Centre Article 4 Direction.

PROPOSAL

6. The application proposes a change of use from Class A2 (Financial & Professional Services) to Class C3 (Residential) to ground and basement floors. Conversion of office into 1 x 1 bedroom flat.

ASSESSMENT

7. The Development Plan sets out that high quality development will be expected, which respects, takes advantage of, and enhances the positive elements and distinctive features of the Borough. The main issues to consider in relation to this application are as follows:

Principle of Development

8. Policy CS10 (Housing Delivery) states that the Council will take full advantage of opportunities to deliver new housing and ensure that a broad mix of accommodation options are available to residents and that a range of local housing needs are met. It further states that the preferred locations for new housing are Kingston Town Centre, the three District Centres

(Surbiton, Tolworth, New Malden), areas with the greatest Public Transport Accessibility Level (PTAL) and areas in need of improvement or renewal.

9. Policy DM17 (Protecting Existing Employment Land and Premises) of the Council's LDF Core Strategy (2012) states that the Council will protect all employment land and premises throughout the Borough. It states that alternative uses will not be acceptable within A-E (C = Local Centres) unless it can be substantially demonstrated that the use has been appropriately marketed over a number of years (up to two years) that there is no quantitative or qualitative need for a range of employment uses.
10. The application site does not form part of a District Centre or a designated Shopping Frontage.
11. The surrounding area is characterised by a mix of commercial and residential uses, therefore the principle of the change of use from A2 (Financial & Professional Services) to C3 (Residential) is considered acceptable, subject to the below considerations.

Quality of Accommodation

12. The Housing Standards Minor Alterations to the London Plan (2016), sets clear internal minimum space standards for new dwellings to ensure that all new homes are fit for purpose.
13. Policy 3.5, Table 3.3 of the London Plan states that for a one bedroom, two storey, two person unit, the minimum Gross Internal Area (GIA) is 58sqm.
14. It has been calculated that the proposed self-contained flat would exceed these requirements, therefore providing adequate living arrangements that comply with the minimum space standards. The submitted drawings demonstrate that all habitable rooms would receive direct sunlight for at least part of the day. The submitted drawings indicate that glass bi-fold doors would be installed between the lounge and dining room.
15. Policy Guidance 13 (Private Amenity Space) of the Council's Residential Design SPD (2013) states that 10sqm per dwelling plus 1sqm per additional occupant.
16. It has been calculated that the proposed amenity space would be approximately 16sqm, therefore providing an acceptable provision of private amenity space.
17. As such, it is considered that the proposal would comply with Policy 3.5 of the London Plan (2016) and Policy DM10 of the Council's LDF Core Strategy (2012).

Character and Appearance

18. The National Planning Policy Framework (NPPF) attaches great importance to the design of the built environment. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Policies CS8 and DM10 of the Council's LDF Core Strategy (2012) advise that proposals should relate well to their surroundings and be of a high standard of design to achieve a more attractive, sustainable and accessible environment.
19. Policy DM10 (Design Requirements for New Developments (Including House Extensions) states that development proposals will be required to

incorporate principles of good design. The most essential elements are identified as contributing to the character and local distinctiveness of a street or area which should be respected, maintained or enhanced and includes the following:

- Prevailing density of the surrounding area;
- Scale, layout, height, form (including roof forms), massing;
- Plot width and format which includes spaces between buildings;
- Building line build up, set back and front boundary; and
- Typical details and key features such as roof forms, window format, building materials and the design detailing of elevations.

20. Policy Guidance 43 (Basements and Subterranean Development) of the Council's Residential Design SPD (2013) is most applicable to the proposal.
21. The proposed conversion of the ground and basement floors would involve the installation of a lightwell and railings to the front of the building to allow natural light and ventilation to the basement bedroom. It would be set back by approximately 2.5 metres from the pavement/front edge of the site curtilage.
22. It is acknowledged that lightwells are not a characteristic of the streetscene, however the built form is fairly varied, therefore it is not considered that the proposed lightwell and railings would be a visually intrusive feature within the streetscene. Furthermore, the self-contained flats opposite and the neighbouring public house display railings as part of their front boundary treatment.
23. The proposed external facing materials and finishes replacing the existing shopfront would be in keeping with those existing therefore ensuring that the alterations would integrate with the host building. The positioning of the doors and windows (reduced to one) would be altered on the rear elevation. This is considered acceptable.
24. The submitted drawings indicate an approximate 1 metre brick front boundary wall with some soft landscaping behind. This is considered acceptable.
25. As such, it is considered that the proposal would comply with Policies CS8 and DM10 of the Council's LDF Core Strategy (2012).

Residential Amenity

26. Policy DM10 of the Council's LDF Core Strategy (2012) seeks to safeguard residential amenities in terms of privacy, outlook, daylight/sunlight, avoidance of visual intrusion and noise and disturbance.
27. The proposed conversion into a 1 x 1 bedroom self-contained flat, by reason that it would utilise the existing footprint, is not considered to have any significant impact upon neighbouring residential amenities.
28. As such, it is considered that the proposal would not have a detrimental impact upon the residential amenities of neighbouring properties in terms of loss of natural light, overshadowing, loss of privacy, overlooking or loss of outlook and would comply with Policy DM10 of the Council's LDF Core Strategy (2012).

Highways and Transportation

29. The application site is located within an area that has excellent accessibility to public transport with a PTAL rating of 6a. The London Plan Policy 6.13, Table 6.2 requires less than 1 car parking space per 1-2 bedroom dwelling.
30. The site is located within, and surrounded by, Controlled Parking Zones (CPZs) with on-street parking in high demand within the surrounding area, therefore it is considered that the development should be car capped via a legal agreement. The legal agreement would car cap the development, preclude future occupants from obtaining on-street car parking permits and stipulate a requirement to inform potential buyers/tenants of the above exclusion, as well as publicise the lack of parking provision in sales brochures.
31. The applicant has entered into a legal agreement and this has been signed and completed. As such, the proposal would not increase on-street parking pressure or harm highway safety.
32. The London Plan Policy 6.9, Table 6.3 requires 1 cycle parking space per 1 bedroom dwelling. The submitted drawings indicate space for a bicycle store within the rear garden and this is accessed via a shared side walkway. This aspect will be secured via a condition.
33. As such, subject to further details, it is considered that the proposal would comply with Policies DM9 and DM10 of the Council's LDF Core Strategy (2012).

Refuse/Recycling

34. The submitted drawings indicate space for bins within the rear garden, however it is considered that further details are required via a condition to ensure that it would comply with Appendix 2 - Waste Management of the Council's Residential Design SPD (2013).

Community Infrastructure Levy (CIL)

35. The application would be liable to pay Kingston CIL which is presently set at £210/sqm of development, as per charging zone 1, in this location.
36. The application would also be liable to pay Mayoral CIL which is presently set at £35/sqm of development.

RECOMMENDATION

Approve subject to the following condition(s):

- 1 The development hereby permitted shall be commenced within 3 years from the date of this decision.

Reason: In order to comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Block Plan	21/09/2018
1809-1497 Existing Elevations & Floor Plans	21/09/2018
Design Statement	21/09/2018
1809-1498B Proposed Front Elevation Plan	26/11/2018
1809-1498C Proposed Ground Floor Plan	26/11/2018
1809-1498A Proposed Elevations & Floor Plans	26/11/2018
Legal Agreement	21/12/2018

Reason: For avoidance of doubt and in the interests of proper planning.

- 3 The external facing materials and finishes of the development hereby permitted shall match in colour and texture those of the existing building, or such other materials as shall have been approved in writing by the Local Planning Authority and shall thereafter be retained as such.

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

- 4 The front boundary treatment and lightwell railings shall not exceed 1 metre in height, unless otherwise approved in writing by the Local Planning Authority and shall thereafter be retained as such.

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

- 5 Prior to beneficial occupation of the development hereby permitted details of secure cycle parking facilities for the occupants of, and visitors to, shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory cycle storage facilities and in the interests of highway safety in accordance with Policy DM8 (Sustainable Transport for New Developments) of the LDF Core Strategy Adopted April 2012.

- 6 Prior to beneficial occupation of the development hereby permitted details of refuse storage facilities and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure the provision of refuse facilities to the satisfaction of the Council in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

INFORMATIVE(S)

- 1 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

- 2 When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.

- 3 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundwork's within 6 metres of an adjoining building.Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 - Explanatory Booklet".

- 4 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as

offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

Signature of Case Officer: *EC*

Date : *03.01.2019*

Signature of Lead Officer: Barry John Lomax

Date : 08/01/2019