

PLANNING APPLICATIONS COMMITTEE

11th August 2016

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	16/P1726	01/06/2016
Address/Site:	55A Hill Place House, Wimbledon, SW19 5BA	
(Ward)	Village	
Proposal:	CHANGE OF USE OF BRAIN BOX DIGITAL LTD OFFICES FROM USE CLASS B1(office) TO USE CLASS A1(shops), A2 (financial and professional services) or D1 (non-residential institutions), EXCLUDING USE AS A SCHOOL, NURSERY, CRECHE OR PLACE OF WORSHIP WITHIN THE D1 USE CLASS.	
Drawing Nos:	1601007-100 (amended to show allocated parking spaces), ; 1601007-302A	
Contact Officer:	Jonathan Gregg (3297)	

RECOMMENDATION

GRANT PERMISSION SUBJECT TO CONDITIONS.

CHECKLIST INFORMATION

- Heads of agreement: n/a
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 16
- External consultations: None

1. INTRODUCTION

- 1.1 The applications have been brought before the Planning Applications Committee due to the number of objections received.

2. SITE AND SURROUNDINGS

- 2.1 This application relates to part of Hill Place House which fronts onto the High Street, with the main entrance to Hill Place House being from Marryat Road. The site is located at the northern end of Wimbledon Village, and forms a

small octagonal building which pre-dates Hill Place House and was attached during or following the development of Hill Place House. This element is located between the Rose & Crown Public House and Hamptons Estate Agents.

- 2.2 The site is within the Wimbledon Village Conservation Area, Wimbledon Village Town Centre, is within a designated as a secondary shopping frontage, and is within a controlled parking zone which operates Monday-Saturday 8:30-18:30.

3. CURRENT PROPOSAL

- 3.1 This application proposes the change of use of the existing B1(a) office space (163sqm) which is currently occupied by Brain Box Digital, to a flexible A1/A2/D1 use.
- 3.2 Within the Town and Country Planning Use Classes Order 1987 (as amended) A1 uses generally comprise the retail sale of goods, A2 comprises professional and financial services (such as banks and estate agents) and D1 is non-residential institutions (including doctors, dentists and any other medical or health services, schools, nurseries, creches, places of worship, libraries etc).
- 3.3 At the request of officers, it has been agreed that the proposed range of D1 uses being sought would be restricted to exclude schools, nurseries, creches and places of worship, given that their potential effects are considered to require much more careful scrutiny and are therefore unsuitable for inclusion as part of a general blanket expansion of the lawful planning uses for the application premises.

4. PLANNING HISTORY

The following planning history is considered relevant:

- 4.1 MER1042/82 - Redevelopment of site by the erection of a part four storey, part five storey building, containing 1417 square metres of office floor space and 8 flats, together with the provision of 40 car parking spaces and 5 lock-up garages. – Grant Permission (subject to conditions) 22/06/1983

5. POLICY CONTEXT

- 5.1 London Plan 2015;
6.3 (Assessing effects of development on transport capacity), 6.13 (Parking)
- 5.2 Merton Sites and Policies Plan July 2014 policies;
DMR4 (Protection of shopping facilities within designated shopping frontages), DMT1 (Support for sustainable transport and active travel). DMT2 (DM T2 Transport impacts of development), DMT3 (Car parking and servicing standards)

- 5.3 Merton Core Strategy 2011 policy:
CS7 (Centres), CS18 (Active transport), CS19 (Public transport), CS20 (Parking, servicing and delivery)

6. CONSULTATION

- 6.1 Public consultation was undertaken by letters sent to neighbouring properties, a site notice and press advert were also published.
- 6.2 Seventeen objections were received, summarised as;
- Range of uses could result in an increase in traffic and footfall, increasing pollution and congestion in the area;
 - Increased noise from use outside of normal office hours;
 - Potential for negative impact on residential amenities of neighbouring residents;
 - Would result in problems with traffic during the evenings and weekends if the use took place during these times;
 - Range of uses is too large and generic;
 - Would result in few people employed at the site, contrary to the Council' policies;
 - Increased use of the car park outside of office hours.
 - Potential changes to the frontage may be out of character with the building.
- 6.3 Additional public consultation was undertaken following the submission of drawings which clarified the area of the building which would be subject to the change of use and clarifying the range of uses proposed.
- 6.4 Further to public consultation, the application has been amended to restrict the range of D1 uses being sought and to restrict weekend opening hours.

7. PLANNING CONSIDERATIONS

- 7.01 The main considerations for this application are the principle of the change of use, the impact on traffic and parking and the impact on neighbour amenity.
- 7.02 A number of representations have commented on the submitted drawings. The red edged plan covers the whole building and site which by necessity includes the car park and access to this from the highway as there are three parking spaces associated with this space which form part of the application. The subsequent floor plans indicate the area within the building itself which is subject to this application.

7.1 Principle of the Change of Use

- 7.11 SPP Policy DMR4 seeks to maintain the vitality and viability of the borough's town centres whilst providing a wide range of retail, services and social activities. DMR4(c) notes that in Secondary Shopping Frontages, A2, A5 and B1a uses will also be permitted, although 50% of these units should remain in commercial (A1-A5) use. This is in addition to those uses that would be

permitted in Core Shopping Frontages which cover A1, A3, A4, D1 and D2 uses.

- 7.12 The application has been supported by a Marketing Report by Andrew Scott Robertson dated June 2016. It highlights that office availability is low at roughly 7% of total stock in Wimbledon, and prime office rents have risen 35% over the last two years. It also notes that demand for office accommodation at the northern end of Wimbledon Village, where this property is sited, is currently weak.
- 7.13 The building has been marketed since May 2016, with particulars sent to 66 parties who were actively looking in the area, and these particulars were further distributed to 409 commercial agents via the Estate Agents Clearing House. Adverts were also placed on the ASR, Property Link, Rightmove, EACH, EGI and CPD websites.
- 7.14 Following this, six parties have shown an interest and viewed the property, dates and details of the proposed uses are indicated in the table below (from p.12 of the marketing report).

Party	Date Viewed	Comment
A	26/05/2016	A2 Use. Being considered but no initial interest.
B	27/05/2016	D1 Nursery use. Offer made.
C	27/05/2016	D1 Medical use. Currently being considered.
D	27/05/2016	D2 Children indoor play centre. Not suitable.
E	10/06/2016	D1 Dentist use. Offer made. Currently being negotiated.
F	17/06/2016	D1 Dentist use. Cancelled at last minute and to be re-arranged

- 7.15 The report concludes that the office demand has diminished, in particular due to the distance from the underground/rail and tram stations in Wimbledon. The evidence from the relatively short marketing campaign is that there are a number of users willing to take on the property however this is highly unlikely to be an office use.
- 7.16 Utilising Permitted Development rights granted by the GPDO, the current offices could convert to a B8 use (Storage or Distribution). It could also, subject to a prior approval application convert to a C3 (dwellinghouses) or a state funded school/nursery (which fall in Class D1), although the latter would require an assessment of transport impacts, noise impacts and any contamination risks on site.
- 7.17 Additionally it could convert to a range of temporary uses, including a state funded school for 1 academic year or a flexible A1/A2/A3/B1 use (up to 150sqm) for 2 years without the need for any planning permission or prior approval.
- 7.16 In view of the above and given that this part of the building is older than the main office building behind and can easily be self contained without impacting

negatively on the office block behind the principle of a change of use is considered acceptable, subject to other material considerations.

7.2 Traffic and Parking

- 7.21 Core Strategy policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, on street parking or traffic management.
- 7.22 A Transport Statement was submitted during the course of the application which was prepared by Ardent Consulting Engineers. This notes that the site currently has 34 off street parking spaces, with three allocated to the current occupiers of the part of the building subject to this application. The site also has a PTAL rating of 2. The proposal would include nine cycle parking spaces, in accordance with London Plan standards.
- 7.23 The TS includes a trip generation, which given the broad range of uses possible this has been done based on the following uses, retail (A1), school (D1), doctors surgery (D1), dentists surgery (D1), nursery (D1), each of these was then compared against the existing office use. Given the agreement of the agent to exclude nursery, school uses and places of worship from the range of uses being sought, it is considered reasonable to remove these from the assessment.
- 7.24 There would be varying impacts on traffic during the morning and evening peaks depending on the use, with all of the potential uses identified above resulting in increases to two way vehicle trips during the weekday 12 hour period (07:00-19:00). The retail use would have the smallest increase in additional vehicle trips during the 12 hour period, of 47. The Doctors and Dentist surgeries would have similar increase in two way vehicle trips of 72 and 68 respectively.
- 7.25 During the morning peak, the retail and dentist uses would result in less vehicle trips than the existing office use whilst the evening peaks would increase only minimally across all potential uses.
- 7.26 The Council's Transport Planner has assessed the application and raises no objection to the proposal. It is however noted that one of the parking bays will need to be dedicated for any disabled employee that is based at the site – this may require the bays to be reduced to 2 instead of 3 to enable the necessary buffer zone. Furthermore if the site becomes a doctor's surgery (D1) then the 3 parking bays should be converted to 2 disabled wheelchair accessible bays on a permanent basis. These details can be secured by condition. A condition requiring the provision of cycle parking and the submission of a delivery and servicing plan are considered reasonable.

7.27 Residential Amenity

- 7.28 SPP policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring

properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

- 7.29 The nearest residential properties to the site are no's 1-14 Parkside House and 46 High Street, both directly opposite on the southern side of High Street. To the north is Boleyn Lodge which contains six flats, and further north still is 6 Marryat Road, although these are both separated by the intervening four storey built form of Hill Place House. To the northwest is no.3 Marryat Road which is separated from the site by Marryat Road itself and by the Hamptons Estate Agent premises and parts of Hill Place House.
- 7.30 As a range of uses are being sought, it is considered that the impacts on residential amenity should be assessed on a worst case scenario. A1 and A2 uses would be likely have a similar impact to the existing office use and would not therefore have any unacceptable impact of the residential amenity of occupiers of neighbouring properties.
- 7.31 As noted above, the proposed traffic impacts are not considered to be significantly different to the existing office use with an increase of between 47 (retail) and 72 (doctors) vehicle trips in the 12 hour weekday period. Delivery and servicing of the building would also likely be similar to that of an office.
- 7.32 Following the exclusion of nursery, schools, crèche and as a place of worship from the potential range of uses, it is not considered that any of the uses would differ significantly in terms of their impacts on the residential amenities to the current office use.
- 7.33 In terms of noise, there is no external area associated with the property, other than the car park, and as the entrance and exit is onto the High Street, which is a busy road itself and adjacent to the Public House it is not considered that there would be any additional undue noise over and above that found within the locality at present.
- 7.34 Moreover, the proposed uses are likely to operate during normal business hours Monday-Friday, similar to the current office use which is unrestricted. At weekends, the agent has agreed to a restriction on opening hours, this would be 09:00 – 18:00 on Saturdays and 10:00 – 16:00 on Sundays and Bank Holidays. This is considered to be acceptable and would be in line with the rest of the shops in Wimbledon Village.
- 7.35 Furthermore the application form states that no external plant would be installed and were it to be necessary in the future it would require planning permission in its own right which would then be subsequently assessed on its own merits.
- 7.36 On this basis the proposed uses are not considered to result in any undue harm to the residential amenities of the occupiers of nearby residential properties or to the amenities of the locality.

7.4 Other Matters

- 7.41 The current use of the building and the allocated spaces within the car park has no hours of use limitation.
- 7.42 Any external changes that would be required for future occupiers of the building would require a separate planning permission which would be assessed on their own merits.
- 7.43 Any new signage would be likely to require advertisement consent unless it is very modest and falls within the deemed consent category, and would need to be appropriately designed to avoid any detrimental impact on the character of the building and the Conservation Area.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

- 8.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

9. CONCLUSION

Following the concerns raised by local residents and at the request of officers, those uses with the potential to have the greatest impact and requiring separate individual assessment have been removed from the expanded range of uses being sought by the applicant, notably schools, nurseries, creches and places of worship. In addition, unlike the existing office use, hours of usage at the weekend would be limited to 9am until 6pm on Saturday and 10am until 4pm on Sunday or Bank Holidays. The principle of development is considered acceptable and none of the proposed uses are considered to have an unacceptably adverse impact on the highway network. Additionally given the siting and surroundings, the proposed uses are not considered to have any undue impact on the residential amenities of neighbouring occupiers. The proposal is therefore considered to accord with Policies DMR4, DMT1, DMT2, DMT3, DMD2 of the Sites and Policies Plan, CS7, CS18, CS19 and CS20 of the Core Strategy and relevant policies in the London Plan and NPPF.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to the following conditions:

1. A1 Commencement of Development (Full Application)
2. A7 Approved Plans
3. H11 Parking Management Strategy
4. H12 Delivery and Servicing Plan
5. D01 Hours of Use

The uses hereby permitted shall operate only between the hours of 09:00 and 18:00 on Saturdays and 10:00 and 16:00 on Sundays and Bank Holidays.

6. E05 Restriction – Use of Premises

The premises shall only be used for a use which falls within Classes B1(office), A1(retail), A2 (financial and professional) or D1(non-residential institutions) of the Town and Country Planning (Use Classes Order) 1987 [as amended], excluding use as a school, nursery, crèche or place of worship, and for no other purpose within the Act or in any statutory instrument revoking and re-enacting that Order with or without modification.

7. Provision of disabled parking

Informatives:

1. [Note to Applicant – Approved Schemes](#)

To view Plans, drawings and documents relating to this application please follow [the link](#)

Please note that this link, and some of the related plans, may be slow to load