

PLANNING APPLICATIONS COMMITTEE 16th November 2017

APPLICATION NO
17/P0833

DATE VALID
23.05.2017

Address/Site 240 Burlington Road, New Malden, KT3 4NN

Ward West Barnes

Proposal: Use of the building to extend the range of occupiers of the building authorised under planning permission ref 14/P0559 from students to students and graduates in full time employment.

Drawing Nos; Site location plan and drawings T299 001, T299 04 Amended 16/6/17, T299 05 and document 'Lettings Strategy-August 2017'

Contact Officer: Leigh Harrington (020 8545 3836)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION.

- Heads of agreement: Yes
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No,
- Number of neighbours consulted: 8
- Press notice – No
- Site notice – Yes
- External consultations: Nil
- Archaeological Priority Zone – No
- Controlled Parking Zone - No
- Number of jobs created: N/A
- PTAL Score – 3 (Moderate) – Ranked 1 to 6 with 6 being the best..

1 INTRODUCTION

- 1.1 The application has been brought before the Committee due to the level of public interest.

2. SITE AND SURROUNDINGS

- 2.1 0.05 hectare site located at the junction of Burlington Road with Belmont Avenue. The site is not within a Conservation Area and there are no other relevant constraints.
- 2.2 The application site was previously a three storey office building with mansard roof. It has been extended and converted to a solely residential use for students predominantly from Kingston University. Internally the accommodation is typically arranged in groups of four individual rooms with a communal kitchen for each cluster of four rooms. There are larger laundry facilities also provided on site as well as a management office and secure cycle storage..
- 2.3 The site is not located within a CPZ but there is a single yellow line restriction on the Burlington Road elevation and a double yellow line on the Belmont Avenue junction that reduces to a single yellow line before parking becomes unrestricted.

3. CURRENT PROPOSAL

- 3.1 The proposed change of use of the building essentially entails a variation to condition 6 of the existing planning permission that regulates the use of the extended building (14/P0559). The current condition restricts the use of the building as follows:

The premises shall only be used for student accommodation in connection with Kingston University, St George's Medical School, St Mary's University College, Twickenham and Roehampton University only and for no other purpose, (including any other purpose within Class C2 of the Schedule to the Town and Country Planning (Use Classes Order) 1997), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

The reason for the condition was to enable the Local Planning Authority to retain control over any further change of use of these premises in the interests of safeguarding the amenities of the area.

- 3.2 The proposals involve changes to the tenancy arrangements. The proposals had originally been to change the use from a student accommodation block (use Class C2) to a hostel, a sui generis use or one not falling within any of the Classes in the Use Classes Order.
- 3.3 The change was sought by the applicants because of falling occupancy levels in the units. The applicant advises that the scale of the development of new student accommodation for Kingston University and Roehampton University students, both university accommodation and private accommodation, has led to a reduction in students applying for accommodation in Malden Hall which is currently making the operation of the 40 bedroom as student only accommodation, unviable. Recently built new student accommodation has impacted on demand for accommodation at Malden Hall, by virtue of their better location relative to Kingston University and Roehampton universities

and better on site facilities. A total of 641 new bed spaces was available to Kingston University to serve a 12% reduction in student numbers attending Kingston for the 2016/17 academic year. Similarly, a further new 208 bed campus based accommodation was available for Roehampton University students in the 2016/2017 academic year. A further total of 370 new bed spaces will be available to Kingston University students for the 2017/18 academic year. Similarly, a further 358 campus based bed spaces will be available for Roehampton University students in the 2017/2018 academic year.

- 3.4 Objections to the proposals were received from neighbours and local councillors and these are summarised below. Officers have secured amendments to the proposals, with the applicant assisting officers by providing greater clarity as to the end users of the building, with the proposals now being for the use of the building to provide accommodation for students and graduates in full time employment (also a sui generis use).
- 3.5 The proposals would introduce a new three tiered letting strategy as follows;
Stage 1; The accommodation would be restricted to students from Kingston University, St George's Medical School, St Mary's University College, Twickenham and Roehampton University. Tenancies would be 12 months.
Stage 2; Remaining unlet units would be offered to any University students. Unreserved rooms from Stage 1 would be offered for a 1 month period with up to a 12 month tenancy.
Stage 3; Any rooms not taken under stages 1 and 2 would then be offered to the rental market to new graduates and young professionals. This would be subject to an age restriction of 18-28 (this would not apply where applicants can demonstrate they have graduated from one of the named universities within the last two years and are in full time employment). They would need to provide formal confirmation of full time employment and earning over £20,000. The tenancies would be either 3 or 6 months up to a maximum of 12 months.
- 3.6 There would be no physical alterations or extensions to the building and no increase in resident numbers beyond what is already approved.
- 3.7 The layout is over four floors with 10 clusters known as flats. Each cluster has four ensuite bedrooms of which 22 are equipped with double beds, 17 with single beds and 1 as a studio unit. Each cluster/flat shares a kitchen dining room. Each bedroom has a small storage area and a desk/work area.

4. PLANNING HISTORY

- 4.1 99/P0556 Planning permission granted by PAC for change of use of existing office to provide residential accommodation for students (24 study bedrooms) with communal kitchen/dining facilities and the erection of a replacement second floor extension.
- 4.2 10/P1686 Planning permission granted for the removal of second (top) storey of three storey student hostel (22 bedrooms) and construction of two new

floors creating a four storey building providing 40 bedrooms for student accommodation.

- 4.3 14/P0559 Application approved for variation of condition 7 (restricted use) attached to LBM planning permission 10/P1686 (dated 21/09/10) removing the words "... in connection with Kingston University only" thereby enabling the accommodation to be let to students from Kingston University, St George's Medical School, St Mary's University College, Twickenham and Roehampton University.

5. CONSULTATION

- 5.1 The application has been advertised by means of a site notice and letters sent to 8 neighbouring occupiers. In response to the original consultations for a hostel objections were received from 13 neighbouring occupiers raising the following concerns:
- Pressure on parking will increase from being privately rented units.
 - The site has a low ptal and is close to the A3.
 - A hostel use may impact security and safety.
 - Details of the hostel use are unclear.
 - The rooms will be rented to single mothers and their working boyfriends.
 - Extra residents result in increased litter and lack of car parking space.
 - Hostel use better suited to town centres.
 - How will temporary accommodation to homeless applicants benefit the day to day life of residents.
 - Hostel will bring drug addicts, alcoholics, ne'er do wells and other undesirables to harass the local community.
 - Already enough anti social behaviour in the area.
 - Loss of student accommodation for future students
- 5.2 The Raynes Park and West Barnes Residents Association No objection to the use for single homeless people but subject to conditions making it permit free, only adult residents, Merton residents and private rentals limited to 6 months.
- 5.3 Two letters of objection were received following reconsultation on the amended description raising concerns relating to;
- Pressure on parking on local streets as the development cannot be made permit free at this stage.
 - Graduates more likely to own a car which will put pressure on the local roads
 - If undergraduates are allowed to take the units their behaviour may be very different to that of postgraduates.
 - Britannic House has gone from offices to luxury flats
 - Rubbish outside the site is an eyesore.

One letter of support was received stating;

- This is the best option for keeping the building in use

- This is the best option for the local area and to prevent it becoming a hostel
- 5.4 Councillors Gilli and Brian Lewis-Lavender undertook their own neighbour notification on the revised description via a leaflet drop to 400 local to which no objections were received.
 - 5.5 Transport planning section. No objection to the proposals as they are not considered to generate a significant negative impact on the performance and safety of the surrounding highway network or its users. A condition requiring a travel plan is recommended.
 - 5.6 Environmental Health. No objections.
 - 5.7 Transport for London. No objections to the proposals

6. POLICY CONTEXT

- 6.1 DCLG Technical housing standards (2015).
- 6.2 Relevant policies in the London Plan (2016) are; 3.3 (Increasing housing supply), 3.4 (Optimising housing potential), 3.5 (Quality and design of housing developments), 3.8 (Housing choice).
- 6.3 Relevant policies in the Core Strategy (2011) are; CS8 (Housing choice), CS 20 (Parking, Servicing & delivery).
- 6.4 The relevant policies in the Sites and Policies Plan (2014) are; DM D2 (Design considerations in all developments) and DM H5 (student housing, other housing with shared facilities).
- 6.5 London Housing SPG 2016
- 6.6 TfL Roads Task Force - survey data used 2011/12.

7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations in this case relate to the impact of the changes to tenure on the character and nature of the host building and the wider area including parking.

Principle

- 7.2 The building has provided student accommodation for a number of years since it was enlarged and it reflected the needs of the local University at the time. Following the construction of new accommodation closer to the University the need for student accommodation appears to have diminished and under-occupancy will impact the viability and vitality of the building. Given the need to increase occupancy levels, to provide for the accommodation needs of other groups of young persons and the current configuration of the building the applicant has explored, in conjunction with officers and local councillors, the alternative tenure arrangement now before members. The proposals will

continue to focus on providing student accommodation but within a wider context to allow for other University students, recent graduates and young professionals up to the age of 28 in full time employment on short terms tenancies.

- 7.3 London Plan policy 3.8 encourages developments that take account of the housing requirements of different groups and the changing roles of different sectors in meeting these needs and the London Housing SPG and SPP policy. Similarly DM H5 supports student accommodation along with other housing with shared facilities and bedsits and resists its loss.
- 7.4 The building currently does not provide permanent housing and so the proposal would not conflict with policy DM.H5 (a)(i).
- 7.5 While the Council reviews sites for the purpose of delivering new housing as part of its plan making process, this site was not identified at the plan preparation stage for the Sites and Policies Plan stage as a potential site for more conventional housing and for the time being officers consider that its retention for short term accommodation would not compromise capacity to meet the supply of land for additional self contained homes thereby addressing DM.H5(a) (ii).
- 7.6 The widening of groups eligible to rent accommodation, meets an acknowledged need to provide for other groups in the housing market that are not necessarily seeking self contained homes and would not result in an over concentration of similar uses that might be detrimental to residential character and amenity thereby complying with the objectives of policy DM.H5 (a)(iii) and (a)(iv).
- 7.7 While the proposals result in the potential for some loss of student accommodation the applicant has demonstrated through an analysis of consented and implemented schemes for nearby universities that there has been a significant increase in capacity for the universities alongside a marked drop in the take up of accommodation at this site thereby addressing DM.H5 (b)(i).
- 7.8 Suitability of accommodation.

The London Plan acknowledges that “shared accommodation or houses in multiple occupation is a strategically important part of London’s housing offer, meeting distinct needs and reducing pressure on other elements of the housing stock although its quality can give rise to concern. Where it is of a reasonable standard it should be protected. By virtue of the current permission the Council has already deemed the use of the building in the manner in which the space it is configured to be of an acceptable standard.

- 7.9 Core Strategy policy CS 9 calls for the provision of well-designed housing and the DCLG Technical Standards and the London Plan policy 3.5 set out a number of required design criteria for residential developments including room and space standards. Policy DM.H5 (a)(v) requires that housing with shared facilities complies with all relevant standards for that use. The accommodation

size is considered suitable for temporary student occupation as normally it is mainly used in term time.

- 7.10 The configuration of the building reflects that the lower floors were converted from offices whilst the upper floors were purpose built. Consequently there is a variation in size of the clusters between 63sqm and 81sqm although the bedrooms tend to average around 12 sqm. With four bedrooms per cluster they would not meet the GIA requirements for flats of that configuration whilst the layout on the upper two floors with the central corridors would not lend itself to subdivision. Therefore although the building layout would not meet the standards required for full time occupation it has proved acceptable for student accommodation needs and it is considered that the stipulations in the lettings strategy that limit occupation to 12 months are considered a satisfactory and pragmatic response to offer temporary affordable accommodation for post graduates and young professionals as they transition into the labour and property markets and as such the changes are considered to accord with London Plan policy 3.8.

- 7.9 There is no amenity space standard for HMO type accommodation and currently the use benefits from only a small area (approximately 40 sq.m) of outdoor amenity space. Officers consider it may be unreasonable to resist the current proposals on the basis of limited amenity space.

- 7.10 It is considered that the proposals would not conflict with the objectives of policies CS.9 and DM.H5(a)(v).

- 7.11 Impact on neighbour amenity.

London Plan policy 7.6, and Sites and Policies Plan policies DM D2 and DM.H5 (iv) require proposals not to have a negative impact on the amenity of neighbouring occupiers through loss of light, overshadowing, outlook, privacy, visual intrusion or disturbance or a wider impact on residential character and amenity. A number of objections were received in response to the original wording of the description for a hostel and on the basis of the absence of letting arrangement details officers were initially unable to reasonably consider the potential impact of the use on neighbour amenity.

However the revisions to the lettings strategy, providing a clear and defined focus, are now considered to adequately address previous concerns and officers consider that the site could continue to operate satisfactorily within its residential setting and thereby not conflict with the objectives of adopted policies DM.D2 or DM.H5(iv)..

- 7.12 Parking and Access

Core Strategy policy CS 20 and policy DM T2 in the Sites and Policies Plan require developers to demonstrate that their development will not adversely affect safety, the convenience of local residents or on street parking and traffic management. The application generated a number of objections relating to parking. However the Council's Transport planning officer has observed that the proposals would not generate significant parking over that relating to the existing use and TfL raised no objections to the proposals. The only new

group of residents would be those under stage 3. This raises the issue as to whether the change would materially alter car ownership levels.

- 7.13 Whilst the proposals give scope for the age profile and income of the occupiers to be a little older and higher than at present the combination of age, qualification and income criteria would still point to the occupiers falling within a group of young adult up to 29 years old identified in the TfL Roads Task Force survey (2011/12) as having low access to a car (13% of all adults in the 16-29 age group in London with incomes up to £25,000 own a car). Car ownership levels appear to have an inverse relationship with access to public transport (areas with better access have lower levels of car ownership) and it may be that levels of car ownership in this location would be somewhat higher. However, given the moderate levels of access to public transport it is considered that there is insufficient evidence to clearly demonstrate that the proposals will have a significant impact on parking capacity so as to warrant grounds for refusal. The Council's Transport Planner has not raised concerns regarding parking impact arising from the proposed changes to letting arrangements.
- 7.14 Given the managed nature of letting the accommodation a condition requiring a Travel plan to be approved, once occupation of any part of the accommodation changes from students to those in work, is also recommended in order to ensure that there are measures to mitigate any impact on the highway network.
- 7.15 Cycle stage/parking facilities would be retained as existing.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

- 8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

9. CONCLUSION

- 9.1 Since the conversion of the building to provide student accommodation the University Of Kingston, whose students the development was intended to house, and Roehampton University have built newer student accommodation nearer to their sites than the application site. The applicant has seen occupancy numbers decline which negatively impacts the viability and vitality of the building.
- 9.2 In order to address this, the applicants have sought to widen the pool of potential occupants which had been limited by previous conditions to students from particular educational establishments. The proposal generated a large number of objections when it was originally described as a hostel but following discussions between local councillors, planning officers and the applicants the details have been clarified and reformulated to create a three stage letting system which is considered to assist the viability and vitality of the development. The use will continue to provide accommodation for students

but with the addition of graduates and those in full time employment using the unlet units for up to 12 months. This is considered to satisfactorily address neighbour concerns with the type of resident in the development whilst providing short term accommodation for students, graduates and those in need of temporary accommodation as they transition into the labour and housing markets. Data from TfL demonstrates that, with likely low car ownership levels for this demographic, the proposals would not have a significant impact on parking in the area.

- 9.3 It is considered that the proposals do not conflict with adopted policy and the proposals are recommended for approval subject to conditions.

**RECOMMENDATION: Grant planning permission subject to conditions.
Conditions**

- 1 In accordance with plans; Site location plan and drawings T299 001, T299 04 Amended 16/6/17, T299 05 and document 'Lettings Strategy-August 2017' Reason; In the interests of proper planning and in order to safeguard neighbour amenity in terms of noise, disturbance and parking pressure on surrounding roads and to accord with the objectives of the Sites and Policies Plan policy DM.H5 and London Plan policy 3.8 and the London Plan Housing SPG 2016
 - 2 Prior to the use of any room under stages 2 or 3 of the approved 3 stage letting scheme hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by TfL and shall include:
 - (i) Targets for sustainable travel arrangements;
 - (ii) Effective measures for the on-going monitoring of the Plan;
 - (iii) A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development;
 - (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.
 - (v) On occupation of any room under stages 2 or 3 of the 3 stage letting scheme, the use of the building shall operate in accordance with such Travel plan details as are approved.Reason; To promote sustainable travel measures and comply with the following Development Plan policies for Merton: policy 6.3 of the London Plan 2015, policies CS18, CS19 and CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.
 - 3 C8 No use of flat roof.
 - 4 D10 external lighting.
 - 5 H7 cycle implementation The cycle parking shown on the plans hereby approved must be made available for use and these facilities shall be retained for the occupants of and visitors to the development at all times.
 - 6 NPPF informative.
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