

This statement is submitted to the London Borough of Kingston to accompany an application for Prior Approval: Change of use - offices to dwellinghouses.

Planning History:

There have been a number of planning applications that have been made at the application site, 84 Ewell Rd. The applications relevant for this 'Prior Approval' application have been listed below:

Application 12/16379/FUL
Change of use from B1 (Offices) to C3 (Dwellings)
Application granted but not implemented.

Application 14/16922/FUL
Erection of lower ground extension across the rear of the property, ground floor extension to one half of the rear with a terrace to the other half and internal renovation to create 5no. self-contained flats.
Application withdrawn.

Application 16/16198/FUL
Alterations and extensions associated with the conversion of the existing building into 4 flats, with commercial space at ground floor level, including rear basement extension, and ground floor rear extension
Application granted and implemented.

Application 20/03250/PAO2R
Change of use of Office space at ground floor (Class B1) into a 2 bed 4p, Flat (Class C3).
Case officer advised that application would potentially be refused on the grounds that a new crossover was being created (NB - a new cross over was not proposed in this application.)
Application withdrawn based on case officer's advice.

Planning Policy - Permitted Development Class O.

‘Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.’

The following table identifies the circumstances when development is not permitted. We have provided a justification against each of these;

Development is not permitted by Class O if	Approach
(a)the building is on article 2(5) land;	The application property does not fall on article 2(5) land. It is a moot point as Article 2(5) became obsolete after the 31st May 2019.
(b)the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order – (i)on 29th May 2013, or (ii)in the case of a building which was in use before that date but was not in use on that date, when it was last in use;	The property has maintained a B1(a) office use class from at least 2012 until the present day. Although the 2012 application (reference 12/16379/FUL) for a change of use from B1 to C3 was approved, the permission was not implemented. The subsequent 2016 application (reference 16/16198/FUL) maintained an office space at ground floor level whilst converting the rest of the property into flats. The ground floor has remained as an office space although is now vacant.
(c)the use of the building falling within Class C3 (dwellinghouses) of that Schedule was begun after 30th May 2016;	The ground floor has been continuously maintained a B1 office use since at least 2012.
(d)the site is, or forms part of, a safety hazard area;	The site does not form part of a safety hazard area;
(e)the site is, or forms part of, a military explosives storage area;	The site does not form part of a military explosives storage area;
(f)the building is a listed building or is within the curtilage of a listed building; or	The building is not listed or fall within the curtilage of a listed building.
(g)the site is, or contains, a scheduled monument.	The site is not / does not contain a scheduled monument.

The proposal therefore complies with the criteria set out in Class O of the GDPO. It offers the opportunity to create a new 2 bedroom unit that complies with the space standards outlined in the London Plan (although it is not required to under to the GDPO).

We always try to meet our client’s needs without detriment to others and therefore hope that this proposal finds favour and progresses without delay.

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Yours sincerely,



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Appendix A – Existing Photos

The photos attached below identify the appearance of the existing property, no works are proposed within this application will affect its external appearance.



Front Elevation.



Front & Flank Elevation.



Rear Elevation

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