

## Application reference: 19/3905/FUL NORTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
27.12.2019	06.01.2020	02.03.2020	02.03.2020

### Site:

422 Upper Richmond Road West, East Sheen, London,

### Proposal:

Replacement shopfront, replacement windows, 2 no. rooflights on front roof slope, new basement level with lightwells and rear staircase ground floor side/rear extension and 3 rear dormer roof extension to facilitate the provision of 1 no. retail unit and 7 no. flats (5 x studio flats and 2 x 1 bed flats) with associated hard and soft landscaping, cycle and refuse stores.

Amended as follows on 14.02.2020:  
amended proposal description

Status: Pending Decision (If status = HOLD please check that all is OK before you proceed any further with this application)

### APPLICANT NAME

Company  
Basing House  
Watts Road  
Thames Ditton  
KT7 0BX

### AGENT NAME

Mr Terence Kearney  
217 Mortlake Road  
RICHMOND  
TW9 4EW  
United Kingdom

**DC Site Notice:** printed on and posted on and due to expire on

### Consultations:

#### Internal/External:

**Consultee**  
14D POL  
LBRUT Transport  
Transport For London

#### Expiry Date

27.01.2020  
27.01.2020  
27.02.2020

### Neighbours:

1 Pembroke Gardens, East Sheen, London, SW14 7EF, - 13.01.2020  
2 Pembroke Gardens, East Sheen, London, SW14 7EF, - 13.01.2020  
59 Clifford Avenue, East Sheen, London, SW14 7BW, - 13.01.2020  
Flat 1, 61 Clifford Avenue, East Sheen, London, SW14 7BW, - 13.01.2020  
Flat 7, 61 Clifford Avenue, East Sheen, London, SW14 7BW, - 13.01.2020  
Flat 6, 61 Clifford Avenue, East Sheen, London, SW14 7BW, - 13.01.2020  
Flat 5, 61 Clifford Avenue, East Sheen, London, SW14 7BW, - 13.01.2020  
Flat 4, 61 Clifford Avenue, East Sheen, London, SW14 7BW, - 13.01.2020  
Flat 3, 61 Clifford Avenue, East Sheen, London, SW14 7BW, - 13.01.2020  
Flat 2, 61 Clifford Avenue, East Sheen, London, SW14 7BW, - 13.01.2020  
Ground Floor Rear, 424 Upper Richmond Road West, East Sheen, London, SW14 7JX, - 13.01.2020  
Ground Floor Front, 424 Upper Richmond Road West, East Sheen, London, SW14 7JX, - 13.01.2020  
First Floor, 424 Upper Richmond Road West, East Sheen, London, SW14 7JX, - 13.01.2020  
Ground Floor Left, 422 Upper Richmond Road West, East Sheen, London, SW14 7JX, - 13.01.2020  
Flat 3, 420A Upper Richmond Road West, East Sheen, London, SW14 7JX, - 13.01.2020  
Flat 2, 420A Upper Richmond Road West, East Sheen, London, SW14 7JX, - 13.01.2020  
Flat 5, 420A Upper Richmond Road West, East Sheen, London, SW14 7JX, - 13.01.2020  
Flat 1, 420A Upper Richmond Road West, East Sheen, London, SW14 7JX, - 13.01.2020  
Ground Floor Right, 422 Upper Richmond Road West, East Sheen, London, SW14 7JX, - 13.01.2020

Flat 4,420A Upper Richmond Road West,East Sheen,London,SW14 7JX, - 13.01.2020  
 420 Upper Richmond Road West,East Sheen,London,SW14 7JX, - 13.01.2020  
 422A Upper Richmond Road West,East Sheen,London,SW14 7JX - 13.01.2020  
 418A Upper Richmond Road West,East Sheen,London,SW14 7JX, - 13.01.2020  
 414A Upper Richmond Road West,East Sheen,London,SW14 7JX, - 13.01.2020  
 416A Upper Richmond Road West,East Sheen,London,SW14 7JX, - 13.01.2020  
 416 - 418 Upper Richmond Road West,East Sheen,London,SW14 7JX, - 13.01.2020

### History: Development Management, Appeals, Building Control, Enforcements:

#### Development Management

Status: GTD Application:93/0274/S191  
 Date:27/05/1993 Use Of Premises As Mini-cab Business.

#### Development Management

Status: WDN Application:05/0840/COU  
 Date:06/02/2006 Change of use from shop to pizza take-away and delivery (from 11am - 11pm Monday to Saturday and 11am - 10.30pm on Sunday) and installation of a rear extract duct. (NB. Amended description/siting and design).

#### Development Management

Status: WDN Application:08/0783/FUL  
 Date:12/06/2008 Proposed rear extension & conversion of property to 2 No. two bedroom flats, 1 No. one bedroom flat and 2 No. studio flats.

#### Development Management

Status: WDN Application:16/4349/FUL  
 Date:16/01/2017 Extension and alterations to provide 1 no. retail unit and 7 no. studio flats.

#### Development Management

Status: GTD Application:17/1072/FUL  
 Date:15/12/2017 Extension and alterations to existing 2 no. retail units and 1 no. 3-bedroom residential unit to provide 1 no. A1/A2/B1 unit and 4 no. residential units, including provision of lower ground floor level and rear dormers.

#### Development Management

Status: GTD Application:18/0866/FUL  
 Date:06/11/2018 Extension and alterations to existing 2 no. retail units and 1 no. 3-bedroom residential unit to provide 1 no. A1/A2/B1 unit and 5 no. residential units, including provision of lower ground floor level and rear dormers.

#### Development Management

Status: GTD Application:18/0866/DD01  
 Date:12/07/2019 Details pursuant to conditions DV49 (Construction Method Statement), PK06A (cycle parking), LT09 (hard and soft landscaping) and DV18A (Refuse arrangements) of planning permission 18/0866/FUL

#### Development Management

Status: GTD Application:18/0866/DD02  
 Date:26/06/2019 Details pursuant to conditions DV42 (Details of foundations - piling etc) and DV43C (Parking Permits Restriction - GRAMPIAN) of planning permission 18/0866/FUL

#### Development Management

Status: PDE Application:19/3905/FUL  
 Date: Replacement shopfront, replacement windows, 2 no. rooflights on front roof slope, new basement level with lightwells and rear staircase ground floor side/rear extension and 3 rear dormer roof extension to facilitate the provision of 1 no. retail unit and 7 no. flats (5 x studio flats and 2 x 1 bed flats) with associated hard and soft landscaping, cycle and refuse stores.

Application reference: 19/3905/FUL

Site Address: 422 Upper Richmond Road West, East Sheen, London

<b>Proposal</b>	Permission is sought for a replacement shop front, replacement windows, construction of basement, single storey rear infill extension, 3 rear dormers and 2 rooflights to facilitate the provision of 1 retail unit and 7 residential units.
<b>Site description / key designations</b>	<p>The application site comprises a two storey mid-terrace building located to the north of Upper Richmond Road West. The building consists of two commercial units at ground floor and a single 3 bed residential unit at first floor.</p> <p>The application site does not fall within a Conservation Area, nor does it constitute a Building of Townscape Merit, however it does fall within a Critical Drainage Area.</p>
<b>Planning history</b>	<p>17/1072/FUL - Extension and alterations to existing 2 no. retail units and 1 no. 3-bedroom residential unit to provide 1 no. A1/A2/B1 unit and 4 no. residential units, including provision of lower ground floor level and rear dormers. (Granted)</p> <p>18/0866/FUL - Extension and alterations to existing 2 no. retail units and 1 no. 3-bedroom residential unit to provide 1 no. A1/A2/B1 unit and 5 no. residential units, including provision of lower ground floor level and rear dormers. (Granted)</p>
<b>Policies</b>	<p>The proposal has been considered having regard to the policies within the Council's Local Plan, in particular:</p> <p><b>Local Plan:</b></p> <ul style="list-style-type: none"> <li>• LP 1 (Local Character and Design Quality);</li> <li>• LP 8 (Amenity and Living Conditions);</li> <li>• LP 11 (Subterranean developments and basements);</li> <li>• LP 16 (Trees, Woodlands and Landscape);</li> <li>• LP 20 (Climate Change Adaptation);</li> <li>• LP 21 (Flood Risk and Sustainable Drainage);</li> <li>• LP 22 (Sustainable Design and Construction);</li> <li>• LP 24 (Waste Management);</li> <li>• LP 26 (Retail Frontages);</li> <li>• LP 34 (New Housing);</li> <li>• LP 35 (Housing Mix and Standards);</li> <li>• LP 36 (Affordable Housing);</li> <li>• LP 45 (Parking Standards and Servicing);</li> </ul> <p><b>Supplementary Planning Documents / Guidance:</b></p> <ul style="list-style-type: none"> <li>• Affordable Housing SPD</li> <li>• Design Quality SPD</li> <li>• Refuse and Recycling Requirements SPD</li> <li>• Residential Development Standards SPD</li> <li>• Small and Medium Housing Sites SPD</li> <li>• East Sheen Village Planning Guidance</li> </ul>
<b>Material representations</b>	The application has not been subject of planning objections from third parties.
<b>Amendments</b>	During the course of the application additional information was submitted in the form of a BRE report and clarification of the 'retail' use was provided.
<b>Professional comments</b>	<p><b>Principle of Development</b></p> <p>The application site benefits from planning permission for a similar scheme for the following development:</p> <p>'Extension and alterations to existing 2 no. retail units and 1 no. 3-bedroom</p>

residential unit to provide 1 no. A1/A2/B1 unit and 5 no. residential units, including provision of lower ground floor level and rear dormers.’

The current scheme seeks a slightly larger extension and would provide 7 residential units as opposed to 5.

In principle, additional residential accommodation above and to the rear of commercial floorspace can bring vitality and viability to an area provided it retains an appropriate balance of retail to be viable. The principle of a reduction in retail floor space has previously been considered acceptable. The current proposal would result in a marginally larger loss, ~6sqm, however the resulting unit is still considered to be a usable unit and no objections are therefore raised in this regard. There are no objections to the conversion of two retail units into one.

The applicant has confirmed that for the purposes of the application, ‘retail’ relates to those uses which were, prior to 1<sup>st</sup> September 2020, known as A1/A2.

#### **Design/Visual Amenity**

Policy LP1 of the Local Plan requires all development to be of high architectural and urban design quality and compatible with local character in terms of development patterns, scale, height and design.

The existing building is a two storey mid terrace building with two small shopfronts which face into a paved forecourt. The two shopfronts are narrower than the others within the row and, as such, the formation of one larger shopfront would not appear incongruous within the street scene.

The proposal would include the construction of a lower ground floor and modest extensions to the ground floor. The principle of the creation of a lower ground floor has already been considered acceptable. The extensions would be slightly larger than the previously approved scheme and would infill an area to the east of the existing outrigger.

The extensions would not extend significantly beyond the established rear build line and would not appear out of keeping with surrounding development in terms of scale, bulk and mass. The extensions would integrate satisfactorily with the existing building and would remain subordinate.

The proposed dormers are modest in scale, leave sufficient space above and below and to the side so as not to dominate the original roof. The windows within the dormers are smaller than the windows in the floors below and are therefore considered SPD compliant.

Having regard to their scale, siting and design, the proposals are not considered to have a detrimental impact on the character or appearance of the site itself or the locality in general. No objections are therefore raised in regard to visual amenity.

#### **Neighbour Amenity**

Policy LP8 requires all development to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. This includes ensuring adequate light is achieved, preserving privacy and ensuring proposals are not visually intrusive.

The application site is adjoined by Nos. 420 and 424 Upper Richmond Road West to the east and west respectively. To the rear the site adjoins 61 Clifford Avenue. The neighbouring properties contain some retail, some office and some residential units.

The Councils Small and Medium Housing SPD advises that to ensure the privacy of neighbouring occupants is respected, the windows of main facing

habitable rooms should preferably be no less than 20m apart. Where principal windows face a wall that contains no windows of those that are occluded, separation distances can be reduced to 13.5m.

It is acknowledged that the introduction of three rear dormers could potentially give rise to concerns in regard to overlooking. However, there are no roof level windows in the neighbouring property No. 61 Clifford Avenue and it is not considered that the proposed dormers would offer significantly advantageous views in comparison to the existing situation. Furthermore, there is a separation distance in excess of 17m between the proposed dormers and the neighbouring property which is considered sufficient to prevent any harmful overlooking.

It is noted that the proposed access stairs to the upper floor flats could also give rise to concerns in regard to overlooking. However, given that they are for access purposes only, rather than areas for sitting, it is not considered that the views obtained from them would be prolonged so as to have a detrimental impact on neighbouring amenity.

As such, having regard to their siting, design and scale, it is not considered that the proposed works would have a significant impact on the amenities of the neighbouring properties and no objections are raised in this regard.

**Housing Mix and Standards**

Policy LP35 states that development should generally provide family sized accommodation, except within main centres and Areas of Mixed Use where a higher proportion of small units would be appropriate. It also requires that all new housing developments are required to comply with the Nationally Described Space Standard.

The application site comprises 2 x retail units and 1 x 3 bed apartment. The proposal would result in 1 x retail unit and 7 x studio apartments.

Given that the site is in an Area of Mixed Use, which is expected to include a proportion of small (1 bed) units in accordance with Policy LP35(A), the proposal of studio units is considered appropriate in this location.

Policy LP 35.B requires new housing to comply with the nationally described space standard - which sets a minimum gross internal floor area of 37sqm for a 1B1P single storey dwelling with a shower room instead of a bathroom. The proposed units would meet these standards.

The space standard also sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling. As set out in paragraph 9.2.6 of the Local Plan, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. Whilst the proposal would not meet the 2.5m internal height encouraged by policy, it would meet the minimum ceiling height as required by the nationally described space standards.

The requirements of Policy LP35 (C and D) and the Residential Development Standards SPD apply to external amenity space. A minimum of 5 sqm of private outdoor space for 1-2 person dwellings should be provided. It is noted that three of the proposed units are without private amenity space, however given that these units are small 1 bed units in this location above commercial floorspace and would not accommodate a small family, it is therefore considered permissible in this instance.

The Residential Development Standards SPD states "Habitable rooms within basements should be preferably dual aspect to enhance cross ventilation and good daylight levels to otherwise compromised living conditions. Generally, basements should be used for non-habitable or recreational areas rather than bedrooms or living rooms." It states "Single unit flats should not be located solely in full basements." There are two units

proposed within the basement, which are both single aspect. However the lower ground floor flats have been designed with floor levels less than 900mm below the existing ground level, which is normal window sill level, so daylighting and ventilation can be achieved.

Whilst it is acknowledged that the proposed units do not provide particularly high standards of accommodation, the applicant has submitted a BRE report which concludes that the levels of daylight and sunlight reaching the units is acceptable.

As such, on balance, whilst the daylight reaching the units is not ideal, regard has been had to the constraints of the site and the public benefits provided by the scheme, including additional residential units, making efficient use of the space and an affordable housing contribution, which are considered in the planning balance to outweigh the potential concerns over the daylight reaching the units. As such, concerns are no longer raised in this regard.

#### **Affordable Housing**

Policy LP 36 requires contributions to affordable housing from all small sites, further details are set out in the Affordable Housing SPD. The applicant has submitted a Viability Assessment which has been reviewed by the Council's assessors (Bespoke) (July 2020) including a costs review. This finds the proposed scheme is marginally viable and could currently provide additional S. 106/affordable housing contributions of up to £18,000. This amount has been secured by legal agreement.

#### **Sustainability**

Policy LP22 states that developments will be required to achieve the highest standards of sustainable design and construction to mitigate the likely effects of climate change. It requires that new dwellings will be required to incorporate water conservation measures to achieve maximum water consumption of 110 litres per person per day and achieve a 35% reduction in carbon dioxide emissions.

The applicant has submitted a BREEAM Pre assessment which identified the aspiration of the development to achieve a BREEAM 'Excellent' rating along with an Energy Statement and Water Calculation and Sustainable Construction Checklist which stated a CO2 reduction of 35.69% and water consumption of 99.7 litres/person/day. As such, the proposal is considered to satisfy policy LP22.

#### **Waste Management**

The submitted documents state that the residential and commercial waste will be stored separately. 2 x 240l refuse bins and 2 x 360L recycling containers will be provided in covered timber enclosures to the rear of the site which will serve the residential units. 1 x 240l refuse bin and 240l recycling container in a covered timber enclosure to the front of the site will provide for the retail unit. These arrangements are considered acceptable.

#### **Parking Standards and Servicing**

Policy LP45 of the Local Plan states development, redevelopments, conversions and extensions will have to demonstrate that the new scheme provides an appropriate level of off-street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions.

The application site is located within an area with a PTAL score of 2 which means access to public transport is low. However, it is noted that it is only metres away from a score of 3.

Having regard to Appendix 3 of the Local Plan which outlines the parking standards required for development, a 1 bedroom dwelling in a PTAL of 0-3

	<p>should provide 1 space. In accordance with the London Plan, the retail unit should also provide 1 space and each unit should provide one secure cycle space.</p> <p>The development would provide 8 secure cycle parking spaces, details of which have been included in the submission of the application and are considered to be acceptable. Whilst it is regrettable that the proposed cycle storage is not weatherproof, TfL has been consulted on the proposal and welcomes Sheffield cycle stands which are in line with London Cycling Design Standards. Additionally, the Councils Transport Officer has raised no concerns.</p> <p>There is no vehicle parking provided for the proposed units, nor is there any parking for the existing units. It is noted that the previous approval at the site noted that given the constraints of the site, the proposed housing mix and the reasonable accessibility to bus stops, on balance a car free development would be permissible in this instance subject to the inclusion of an agreement that parking permits would be restricted for all occupants should a Controlled Parking Zone be introduced in the future. Restricted access to parking permits has been considered an acceptable response to the lack of parking by an appeal inspector. As such, it is considered reasonable and necessary to impose the same restriction on the current application. Following the acceptance of a legal agreement, the proposal is not considered to have a detrimental impact on the parking stress in the area and would satisfy policy LP 45 of the Local Plan. The nature of the development being car free is welcomed by TfL.</p> <p><b>CIL</b> The site would be liable to CIL, for Mayoral CIL and for Borough CIL for the additional units and floor-space that would be created.</p> <p>The estimated amount of Mayoral CIL for this development is £15,618.48 in accordance with the Mayor's CIL 2 Charging Schedule (MCIL2) that took effect on 1<sup>st</sup> April 2019. The estimated amount of Richmond CIL for this development is £52,196.23. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.</p>
<b>Recommendation</b>	<b>APPROVE</b>

**Recommendation:**

The determination of this application falls within the scope of Officer delegated powers - YES / ~~NO~~

**I therefore recommend the following:**

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable  YES\*  NO  
(\*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement  YES\*  NO  
(\*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file)  YES  NO

This application has representations on file  YES  NO

Case Officer (Initials): .....GE.....

Dated: .....09/10/2020.....

**I agree the recommendation:** 

Official

Team Leader/~~Head of Development Management/Principal Planner~~

Dated: .....22.10.2020.....