

Application reference: 20/1205/FUL NORTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
01.05.2020	01.05.2020	26.06.2020	26.06.2020

Site:

102 - 104 Kew Road, Richmond, TW9 2PQ,

Proposal:

Part change of use of ground floor from A3 to C3 (Residential) and alterations to existing shopfront to create new access door to facilitate the conversion of existing 2 x 3 bed maisonettes into 4 No. self-contained studio and 3 No. 1 bed Flats; Rear Infill between the Outriggers at first and second-floor level; Replacement of Roof with New Flat Red Clay Roof Tiles; Installation of 2 No. Velux Conservation Windows on Front Facing Pitched Roof; 2 No. Velux Conservation Windows and 1 No. AOV Window along with 12 No. Solar PV Panels on Rear Facing Pitched Roof; installation of 8 No. Solar PV Panels on the two Rear Outrigger Flat Roofs; and replacement / repositioning of the existing Extraction Duct at the rear of the Property.

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

APPLICANT NAME

Mr Sammy Mak
102-104, Kew Road
Richmond
TW9 2PQ

AGENT NAME

Mr Saher Chaudhry
59
Parsons Road
Langley
Slough
SL3 7GU
Berkshire

DC Site Notice: printed on 11.05.2020 and posted on 22.05.2020 and due to expire on 12.06.2020

Consultations:**Internal/External:****Consultee**

14D POL
14D Urban D
LBRUT Transport
LBRUT Environmental Health

Expiry Date

25.05.2020
25.05.2020
25.05.2020
25.05.2020

Neighbours:

100 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
1 Evelyn Gardens, Richmond, TW9 2PL, - 11.05.2020
2 Selwyn Avenue, Richmond, TW9 2HA, - 11.05.2020
1A Evelyn Mansions, 96 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
2A Evelyn Mansions, 96 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
1B Evelyn Mansions, 96 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
98 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
Flat 2, 106 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
Flat 1, 106 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
Flat 3, 106 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
Flat, 104 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
1 Evelyn Mansions, 96 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
2 Evelyn Mansions, 96 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
3 Evelyn Mansions, 96 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
96 Kew Road, Richmond, TW9 2PQ, - 11.05.2020
3A Evelyn Mansions, 96 Kew Road, Richmond, TW9 2PQ, - 11.05.2020

13 Ruskin Avenue, Kew, Richmond, TW9 4DR, - 11.05.2020
 8 Selwyn Avenue, Richmond, TW9 2HA, - 11.05.2020
 4 Selwyn Avenue, Richmond, TW9 2HA, - 11.05.2020
 3 Evelyn Gardens, Richmond, TW9 2PL, - 11.05.2020
 1 Carna Court, 145A Kew Road, Richmond, TW9 2PN, - 11.05.2020
 2 Carna Court, 145A Kew Road, Richmond, TW9 2PN, - 11.05.2020
 3 Carna Court, 145A Kew Road, Richmond, TW9 2PN, - 11.05.2020
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 9 Carna Court, 145A Kew Road, Richmond, TW9 2PN, - 11.05.2020
 10 Carna Court, 145A Kew Road, Richmond, TW9 2PN, - 11.05.2020
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 15 Carna Court, 145A Kew Road, Richmond, TW9 2PN, - 11.05.2020
 16 Carna Court, 145A Kew Road, Richmond, TW9 2PN, - 11.05.2020
 18 Carna Court, 145A Kew Road, Richmond, TW9 2PN, - 11.05.2020
 Flat 4, 147 Kew Road, Richmond, TW9 2PN, - 11.05.2020
 Flat 1, 147 Kew Road, Richmond, TW9 2PN, - 11.05.2020
 Flat 2, 147 Kew Road, Richmond, TW9 2PN, - 11.05.2020
 Flat 5, 147 Kew Road, Richmond, TW9 2PN, - 11.05.2020
 Flat 3, 147 Kew Road, Richmond, TW9 2PN, - 11.05.2020
 149 Kew Road, Richmond, TW9 2PN, - 11.05.2020

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

Development Management

Status: REF Application: 91/1945/ADV
 Date: 19/12/1991 Externally Illuminated Fascia Signs And Banner.

Development Management

Status: WDN Application: 91/1959/FUL
 Date: 23/01/1992 Extension To Rear To Form Extra Seating Area. and Erection Of Rear External Staircase

Development Management

Status: GTD Application: 91/1960/CAC
 Date: 18/12/1991 Demolition Of Outbuildings.

Development Management

Status: WDN Application: 91/2080/FUL
 Date: 05/03/1992 Provision Of New Shopfront.

Development Management

Status: GTD Application: 92/0095/FUL
 Date: 03/03/1992 Provision Of New Shopfront. (The Previous Applications Have Been Withdrawn.)

Development Management

Status: GTD Application: 92/0096/ADV
 Date: 05/06/1992 Externally Illuminated Fascia Signs.

Development Management

Status: GTD Application: 95/2362/FUL
 Date: 15/11/1995 New Shopfront

Development Management

Status: GTD Application: 99/2809
 Date: 03/05/2000 Increase Restaurant Area By Adding Extension To Rear To Basement And Ground Level. Introduce New Sky Light To Ground Floor Roof. Install New Shopfront With Ramp. Construct Balustrade Wall To Roof Terrace, Rear Staircase And Retaining Wall T

Development Management

Status: REF Application: 77/0871
 Date: 10/01/1978 Alterations and use of ground floor shop at No. 104 as a restaurant; installation of new shopfront.

<u>Development Management</u> Status: GTD Date:21/10/1980	Application:80/0632/ADV For Advertisements.
<u>Development Management</u> Status: GTD Date:21/10/1980	Application:80/0811 Installation of a new shopfront.
<u>Development Management</u> Status: REF Date:08/12/1976	Application:76/0877 Alterations and use of ground floor shop at No. 104 as a restaurant; installation of new shopfront.
<u>Development Management</u> Status: REF Date:08/12/1976	Application:76/0976 Alterations and change of use of ground floor shop at 104 Kew Road to enlarge existing restaurant at No. 102 and provision of new shopfronts.
<u>Development Management</u> Status: GTD Date:27/01/2016	Application:15/4994/ADV Externally illuminated fascia signage
<u>Development Management</u> Status: GTD Date:05/10/2016	Application:16/3221/ADV Double-sided freestanding forum structure, featuring 2x Digital 84" screen positioned back to back.
<u>Development Management</u> Status: REF Date:20/06/2019	Application:19/0740/FUL Alterations to existing shopfront to install new doors to serve as new entrance to proposed flats, installation of new doors and windows to first floor rear elevation, replacement of roof tiles with natural slate tiles, installation of several roof lights and solar PV Panels and re-positioning of existing extraction duct at the rear, in connection with the conversion of 2 no. 4 bedroom flats at first and second floor levels into 7 No. Self-contained Studio Flats.
<u>Development Management</u> Status: GTD Date:23/09/2019	Application:19/2300/FUL Part change of use of ground floor from A3 to C3 (Residential) and alterations to existing shopfront to create new access door to facilitate the conversion of existing 2 x 3 bed maisonettes into 7 No. self-contained Studio and 1 bed Flats. Single Storey Rear Infill, Replacement of Roof with New Flat Red Clay Roof Tiles, Installation of 2 No. Velux Conservation Windows on Front Facing Pitched Roof, 2 No. Velux Conservation Windows and 1 No. AOV Window along with 12 No. Solar PV Panels on Rear Facing Pitched Roof, installation of 4 No. Solar PV Panels on the two Rear Outrigger Flat Roofs and replacement / re-positioning of the existing Extraction Duct at the rear of the Property.
<u>Development Management</u> Status: INV Date:	Application:19/2300/DD01 Detials pursuant to Conditions U0069424 - Parking Permits Restriction - GRAMPIAN and U0069426 - Noise Transmission
<u>Development Management</u> Status: PCO Date:	Application:20/1205/FUL Part change of use of ground floor from A3 to C3 (Residential) and alterations to existing shopfront to create new access door to facilitate the conversion of existing 2 x 3 bed maisonettes into 4 No. self-contained studio and 3 No. 1 bed Flats; Rear Infill between the Outriggers at first and second- floor level; Replacement of Roof with New Flat Red Clay Roof Tiles; Installation of 2 No. Velux Conservation Windows on Front Facing Pitched Roof; 2 No. Velux Conservation Windows and 1 No. AOV Window along with 12 No. Solar PV Panels on Rear Facing Pitched Roof; installation of 8 No. Solar PV Panels on the two Rear Outrigger Flat Roofs; and replacement / repositioning of the existing Extraction Duct at the rear of the Property.
<u>Appeal</u> Validation Date:	Alterations and use of ground floor shop at No. 104 as a restaurant; installation of new shopfront.
Reference: 77/0871	Appeal Allowed

<u>Building Control</u> Deposit Date: 31.01.2000 Reference: 00/0183/AI	Internal alterations and refurbishment of existing restaurant.
<u>Building Control</u> Deposit Date: 19.04.1995 Reference: 93/1240/2/FP	Internal alterations to restaurant including alterations to access to flats over & external escape stairs
<u>Building Control</u> Deposit Date: 17.05.1996 Reference: 96/0204/2/FP	Internal alterations to basement
<u>Building Control</u> Deposit Date: 21.03.2006 Reference: 06/0562/FP	Single storey rear extension to restaurant premises, including new ground floor toilet facilities and external staircase and balcony access to flats over
<u>Building Control</u> Deposit Date: 20.09.2006 Reference: 06/0562/FP/1	Single storey rear extension to restaurant premises, including new ground floor toilet facilities and external staircase and balcony access to flats over
<u>Building Control</u> Deposit Date: 07.11.2006 Reference: 06/0562/FP/2	Single storey rear extension to restaurant premises, including new ground floor toilet facilities and external staircase and balcony access to flats over
<u>Building Control</u> Deposit Date: 19.10.2015 Reference: 15/2510/IN	Refurbishment of existing restaurant, including new WC arrangement, relocation of staircase to basement and structural alterations (and associated works)
<u>Building Control</u> Deposit Date: 18.11.2019 Reference: 19/1850/IN	Part change of use of ground floor from A3 to C3 (Residential) and alterations to existing shopfront to create new access door to facilitate the conversion of existing 2 x 3 bed maisonettes into 7 No. Self-contained Studio and 1 bed Flats (now known as Flats 1-7 104 Kew Road Richmond TW9 2PQ)
<u>Enforcement</u> Opened Date: Reference: 95/00618/EN	Enforcement Enquiry
<u>Enforcement</u> Opened Date: 12.12.1995 Reference: 95/00670/EN	Enforcement Enquiry

**20/1205/FUL
102-104 Kew Road**

Description: Part change of use of ground floor from A3 to C3 (Residential) and alterations to existing shopfront to create new access door to facilitate the conversion of existing 2 x 3 bed maisonettes into 4 No. self-contained studio and 3 No. 1 bed Flats; Rear Infill between the Outriggers at first and second-floor level; Replacement of Roof with New Flat Red Clay Roof Tiles; Installation of 2 No. Velux Conservation Windows on Front Facing Pitched Roof; 2 No. Velux Conservation Windows and 1 No. AOV Window along with 12 No. Solar PV Panels on Rear Facing Pitched Roof; installation of 8 No. Solar PV Panels on the two Rear Outrigger Flat Roofs; and replacement / repositioning of the existing Extraction Duct at the rear of the Property.

Main development plan policies:

National Planning Policy Framework (NPPF)

Local Plan (2018)

- LP 1 (Local Character and Design Quality)
- LP 3 (Designated Heritage Assets)
- LP 4 (Non-designated Heritage Assets)
- LP 8 (Amenity and Living Conditions)
- LP 20 (Climate Change Adaption)
- LP 21 (Flood Risk and Sustainable Drainage)
- LP 22 (Sustainable Drainage)
- LP 24 (Waste Management)
- LP 25 (Development in Centres)
- LP 26 (Retail Frontages)
- LP34 (New Housing)
- LP 35 (Housing mix and Standards)
- LP 36 (Affordable Housing)
- LP 37 (Housing Needs of Different groups)
- LP 38 (Loss of Housing)
- LP40 (Employment and Local economy)
- LP 44 (Sustainable Travel Choices)
- LP 45 (Parking Standards and Servicing)

London Borough of Richmond upon Thames Supplementary Planning Documents (SPD)
(Adopted)

- Design Quality (2006)
- Small and Medium Housing Sites (2006)
- Refuse and Recycling Storage Requirements (2015)
- Sustainable Construction Checklist (2016)
- Affordable Housing *2014)
- Residential Development Standards (2010); incorporating the Nationally Described Space Standards (NDSS)
- Richmond Hill and Richmond Hill Village Planning Guidance Village Planning Guidance (2016)
- Kew Foot Road Conservation Area Appraisal (CA36)

Site Description:

The application site is located to the eastern side of Kew Road mid-way between its junctions with Selwyn Avenue and Evelyn Gardens on the outskirts of Richmond Town Centre. The site is a three-storey brick built mid-terrace property comprising of the Four Regions Restaurant on the Ground Floor with additional seating area in the Basement (A3). The Kitchen is also situated in the basement which is served with a separate staircase at the rear of the property. The First Floor and

Second is currently used as accommodation for restaurant staff and storage area which has access through a metal staircase from the Alleyway at the back of the property.

The application site falls within the Kew Foot Road Conservation Area (CA36). 102-104 Kew Road are classified as a Building of Townscape Merit (BTM), The shop frontage also forms part of Secondary Shop Frontage (96-112 Kew Road).

Proposal

Part change of use of ground floor from A3 to C3 (Residential) and alterations to existing shopfront to create new access door to facilitate the conversion of existing 2 x 3 bed maisonettes into 4 No. self-contained studio and 3 No. 1 bed Flats; Rear Infill between the Outriggers at first and second-floor level; Replacement of Roof with New Flat Red Clay Roof Tiles; Installation of 2 No. Velux Conservation Windows on Front Facing Pitched Roof; 2 No. Velux Conservation Windows and 1 No. AOV Window along with 12 No. Solar PV Panels on Rear Facing Pitched Roof; installation of 8 No. Solar PV Panels on the two Rear Outrigger Flat Roofs; and replacement / repositioning of the existing Extraction Duct at the rear of the Property.

The proposed largely reflects a previous scheme with the internal alterations almost identical to the consented scheme approved under application 19/2300/FUL (see planning history), with changes to the design at the rear of the building relating to the new extension. The alterations at roof level (to the main block and rear outriggers) are also identical to the consented scheme approved under application 19/2300/FUL.

The main change from the consented scheme is a new rear extension at first and second-floor level between the outriggers. As with the other properties in this terrace with outriggers, 102 and 104 have an existing ground-floor extension infilling the rear yard between these wings. The new extension will be two-storey above this existing ground-floor extension.

Relevant Planning History

19/2300/FUL - Part change of use of ground floor from A3 to C3 (Residential) and alterations to existing shopfront to create new access door to facilitate the conversion of existing 2 x 3 bed maisonettes into 7 No. self-contained Studio and 1 bed Flats. Single Storey Rear Infill, Replacement of Roof with New Flat Red Clay Roof Tiles, Installation of 2 No. Velux Conservation Windows on Front Facing Pitched Roof, 2 No. Velux Conservation Windows and 1 No. AOV Window along with 12 No. Solar PV Panels on Rear Facing Pitched Roof, installation of 4 No. Solar PV Panels on the two Rear Outrigger Flat Roofs and replacement / re-positioning of the existing Extraction Duct at the rear of the Property. Approved

19/0740/FUL - Alterations to existing shopfront to install new doors to serve as new entrance to proposed flats, installation of new doors and windows to first floor rear elevation, replacement of roof tiles with natural slate tiles, installation of several roof lights and solar PV Panels and re-positioning of existing extraction duct at the rear, in connection with the conversion of 2 no. 4 bedroom flats at first and second floor levels into 7 No. Self-contained Studio Flats. Refused 20.06.2019.

It is noted that the proposal was subject to pre-application advice under ref: 18/P0418/PREAPP.

Public and Other Representations:

Neighbouring properties were notified of the application by post, a site notice was erected close to the site and an advert placed in the newspaper in accordance with the Local Planning Authority's (LPAs) requirements for publicising a planning application as detailed in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

1 public representation received from a neighbouring resident in objection to the proposals. The material planning considerations raised are summarised as follows:

- Number of flats excessive when related to the existing usage
- Increased traffic generation;
- Flats will overlook gardens/loss of privacy
- Rubbish generation
- Noise from increased number of occupants
- Excessive noise from extractor fan

Professional comments

Key Issues

The main issues for consideration would be:

Principle of Development

Land Use

Local Plan Policy LP40 specifies that land in employment use should be retained in employment use for industrial purposes.

The location of the site, at 102-104 Kew Road, Richmond, is within a designated secondary shopping frontage. The existing ground-floor commercial use is an A3 restaurant (The Four Regions).

With the exception of the proposed infill between the outriggers, the application essentially mirrors the previous approval 19/2300/FUL, which proposed a net reduction of 8 sqm of A3 floorspace (from an existing gross internal A3 floorspace of 216.4 sqm). This was also in support of the conversion of the existing 2 flats on the upper floors into 7 no. self-contained units, to provide ground floor access from the frontage. This is supported, by paragraph 7.1.23, which states "where conversion is acceptable, the access to any residential unit should be from the front rather than the rear, where practicable. "This has already been accepted by the decision to approve the previous application.

The accommodation currently serves the restaurant staff, and it is noted that areas of the upper floor space are dedicated to 'storage', ancillary to the main use. Notwithstanding, as per paragraph 7.2.8, it is acknowledged that there may be scope to convert floorspace (including ancillary space) to other uses, provided that the commercial use on the ground floor remains of a viable size and that this does not lead to an unacceptable loss of commercial space on upper floors. In this instance, the proposed reduction is considered minimal and would not affect the viability of the remaining ground floor unit.

To note, the application materials also refer to additional seating and a kitchen (A3) in the basement, although this is not shown in a basement-specific floor-plan. No changes are to be made to this provision, and this area would continue to serve ground-floor the restaurant use.

More generally, it should be noted that minimum thresholds are deliberately not included within policy requirements because the viability of a unit with respect to its size differs between centres (depending on demand and function), as well as within centres based on the unit's position.

Therefore, in summary, there are no objections to the proposed application from a land use perspective and the remaining commercial unit is considered to be of a viable size as previously held in the decision to approve 19/2300/FUL.

Housing

The suitability of the site for housing has already been assessed and accepted in the decision to approve the previous application 19/2300/FUL referred to in the planning history which stated:

"The Residential Standards Statement describes the first and second floors as currently used for accommodation for restaurant staff and storage area, with separate access through a staircase at the back of the property, and that the property is in need of complete internal renovation. The existing residential layout appears separate for no. 102 and 104, each providing bedrooms with

communal kitchen, lounge, laundry and bathroom/shower room, which appear to be non-self-contained and which may be in a C4 (House in Multiple Occupation) use if catering for more than 3-6 persons. This type of accommodation can provide a valued source of cheaper accommodation for young and transient groups in the population who have not reached a stage where they can or want to buy, for people who are unable to gain access to other forms of housing and for people who would otherwise be homeless. However, this existing floorspace would be refurbished and is proposed to be converted into seven self-contained flats.

In this respect the proposal needs to be assessed as to whether it complies with the criteria set out in Policy LP38 (B) regarding the suitability and design of the proposed conversion. and generally, the proposal is considered to be acceptable in this regard and it is considered the additional and self-contained residential proposed above a commercial use would not on balance have a negative impact on the commercial space (in terms of access, servicing, or any conflict such as hours of operation, noise), and would provide an appropriate balance of uses, to accord with Policy LP1.

Providing the policy criteria can be satisfied then in principle the conversion to self-contained flats could be considered to be in accordance with Policy LP34, with additional residential above a commercial use bringing vitality and viability in this Mixed-Use Area. The provision of 7 one bedroom and studio flats is generally considered to be in accordance with Policy LP35(A) where a higher proportion of small units (studio or 1 beds) is sought. It is also acknowledged that there can be a benefit to providing self-contained units to an improved standard of accommodation, to outweigh the loss of the HMO accommodation, given the overall site will continue to provide for small units. Therefore, the net gain of residential units above an existing A3 use is generally supported in an accessible location such as this.”

Standard of Accommodation

Policy LP35 (B) requires that all new housing complies with the Nationally Described Space Standards (NDSS). The minimum standards are outlined below:

- A single bedroom should be at least 7.5sqm and 2.15m wide
- A double bedroom should be 11.5sqm and 2.75m wide
- Head height should be at least 2.3m for a minimum of 75% of the gross internal floor area
- Suitable storage space to be incorporated into units
- Communal gardens to be sheltered from roads and not overlooked from habitable rooms.
- 1 bed (1 person / one-storey dwelling) – 39sqm (Where a 1B1P has a shower room instead of a bathroom, the floor area may be reduced from 39sqm to 37sqm)

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5

The revised scheme would comprise of 4 x Studio Flats and 3 x One Bedroom (2 Person) flats has been designed in compliance with the Technical Housing Standards - Nationally Described Space Standards (March 2015).

Each unit would have a gross internal area in line with the above schedule of GIA for a 1 bed 1 person one-storey dwelling a minimum of 39sqm, or 37sqm where a one-person unit has a shower room rather than a bathroom and 50 square metres for a one bedroom flat. The previous proposal accepted the standard of accommodation, which would be produced and this scheme is generally considered to enhance the quality of accommodation previously approved as it would enable an increase in the overall floorspace of occupants, created by the infill extension.

Amenity Space

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 plus an extra 1 sqm should be provided for each additional occupant. No external amenity space is being proposed here. However, given the proposal is for small units where future occupiers are less likely to be families, in an area well served by extensive areas of parkland and in recognition of the constraints of the conversion over the upper floors in a mixed-use area, it is considered that on balance given the nature and non-family nature of the accommodation to be provided that the failure to provide external amenity space is not critical in this instance.

Affordable Housing

Local Plan Policy LP36 states some form of affordable housing contribution will be expected on all new housing sites. The Council will seek the maximum reasonable amount of affordable housing when negotiating on private residential schemes, further details are set out in the Affordable Housing SPD.

A financial viability assessment has been submitted with the application, demonstrating that it would not be financially viable to provide for affordable housing on site, nor a financial contribution suggesting a significant scheme deficit. A previous review of the earlier scheme application under 19/2300/FUL conducted in September 2019 found the application to be in substantial deficit. The residual land value below the benchmark land value by £217,000. That scheme was for conversion of 2 flats to 7 studio apartments, 269sqm total floorspace. This application is for 4 x studio and 3 x 1 bed flats, a total of 312.5m² of residential accommodation. This scheme is for a slightly increased overall footprint, but also greater construction costs and CIL liability. It is also apparent that there has been a significant downturn in market conditions since September 2019, worsened by the current Covid-19 situation and a significant retraction in the wider economy.

Whereas this scheme would result in an uplift in the overall floorspace the viability review that has been submitted suggests a substantial deficit. Acknowledging that this proposed scheme would come with substantial additional costs, in addition to CIL liability whereas the latest viability assessment has not been independently reviewed there is considered to be no reasonable prospect that this relatively modest uplift from the previous proposal would now achieve a surplus to be liable for a contribution towards Affordable Housing.

Character and Appearance

The National Planning Policy Framework advises good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people.

Local Plan Policy LP1 states new development must be of a high architectural quality based on sustainable design principles. Development must respect local character and contribute positively to its surrounding based on a thorough understanding of the site and its context. In addressing design quality, the Council will have regards to the following:

- *Compatibility with local character including relationship with existing townscape and frontages, scale, height, massing, proportions and form*
- *Sustainable development and adaptability, subject to aesthetic considerations*
- *Layout and access*
- *Space between buildings and relationship to the public realm*
- *Detailing and material*

Policy LP 3 states the Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal. The significance (including settings) of the borough's designated heritage assets, encompassing Conservation Areas, listed buildings, Scheduled Monuments as well as Registered Historic Parks and Gardens, will be conserved and enhanced.

Policy LP 4 and the Buildings of Townscape Merit (BTM) SPD states the Council will seek to preserve, and where possible enhance the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit, memorials, particularly war memorials, and other local historic features.

This building is one of a terrace with shops fronting Kew Road and rear facades visible from the two side roads. The indents to the rear at the upper levels are part of the original design and layout of the buildings and would be retained. The surrounding area is characterised by varying building types. Whereas, there are no significant visible extensions to the existing building footprint, the front elevation would be altered with modifications involving the creation of a segregated access at street level on Kew Road and the installation of Velux windows (specified as conservation style) on the front pitched roof for provision of natural light and ventilation to a proposed studio flat in the loftspace. Velux windows and an automated vent window above the protected staircase are also proposed at the rear pitched Roof. To address previous concerns about the material the existing pitched roof is proposed to be replaced with matching clay tiles.

The front elevation remains largely unaffected and as previously approved under with only modest modifications involving creation of a segregated access at street level on Kew Road and installation of two Velux Conservation Windows (measuring 1.34m in width x 0.98m in height) on the Front Pitched Roof for provision of natural light and ventilation to the proposed Studio Flat in the Loft Space. These Velux Windows on the Roof would be shielded by a number of mature trees which continue unbroken along the footpath outside the property. Two similar Velux Conservation Windows and an Automated Vent Window above the protected staircase are also proposed at the Rear Pitched Roof. Installation of 12 No. Solar PV Panels on Rear Facing Pitched Roof and 4 No. Solar PV Panels on the two Rear Outrigger Flat Roofs are also proposed, acknowledging the current functional appearance of the rear roofscapes.

The current odour abatement equipment and extract system installed in the Restaurant Kitchen would be upgraded in accordance with the 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' January 2005 by DEFRA. The existing extraction duct would be replaced with a new extraction duct hung flush to the existing rear wall of the outrigger adjacent to No. 100 Kew Road and is essentially as approved.

The existing single glazed timber frame sash windows would be replaced with similar looking double-glazed timber sash windows, which seek to preserve the character of the building. The proposed development would generally retain the existing external appearance of the host building and the like for like red clay roof tiles replacement is supported as it will retain the existing character and significance of the group of buildings, which are identified as "Buildings of Townscape Merit" and the use of this material would directly address previous concerns about the use slate.

The majority of the changes remain as previously approved. However, of more concern is the proposal to infill the space between the two rear returns, which would be a very bulky addition and given the Conservation status a view has been taken from the Borough's Conservation Officer who has advised:

"0/1205/HOT

The mid terrace 3 storey late Victorian property is designated as a BTM and located within the Kew Foot Road. A previous refusal under 19/0740/FUL contained several conservation area grounds including; the number of roof lights, the number of PV Cells to the rear and the use of slate rather than clay tiles as existing. These issues have all been addressed satisfactorily with fewer PV cells, rooflights and an intention to use clay tiles.

To the rear it is proposed to infill the space between the 2 rear returns. This is contrary to the guidance in the SPD and would diminish the rhythm and visual appearance of the rear elevations of these buildings which can be seen from nearby residential properties. The ducting would also become more visually prominent. The resulting harm would be less than substantial as per para 196 of the NPPF which would requires a public benefit to outweigh such harm.

Recommendation

Refusal. The proposed extension to the rear would dominate the rear elevation and erode the character of the BTM.

Relevant Policies

Planning (Listed Buildings and Conservation Areas) Act 1990 Section 72

*LP1 Local Character and Design Quality
LP3 Designated Heritage Asset (CA)
LP4 Non Designated Heritage Asset (BTM)
Kew Foot Road CA”*

Therefore, the Council's main concern with this proposal arises from the infill extension that would result in an overly bulky development that would significantly erode the rhythm and visual appearance of the rear elevation and that would result in less than substantial harm to the BTM and Conservation Area and is therefore contrary to the aims and objectives of in particular adopted policies LP1, LP3 and LP4 of the Local Plan (2018).

It has been established through the planning history that the site can facilitate the provision of 7 flats without accruing the harm arising from the infill extension. The benefit arising from the additional floorspace to the quality of accommodation is given limited weight as a public benefit and does not outweigh the harm to the designated and non-designated heritage asset.

Sustainability

Policy LP22 states that development will be required to achieve the highest standards of sustainable design and construction to mitigate the likely effects of climate change. Applicants will be required to complete the Sustainable Construction Checklist SPD and identify that water conservation measures will be implemented to achieve a maximum consumption of 110 litres per person per day.

The proposal consists of the change of use/refurbishment of the two upper floors plus loft space to form four new studio apartments and three one-bed units on these floors plus ancillary works following the alteration of the existing building on the development site at 102-104 Kew Road, Richmond, Surrey TW9 2PQ.

Where new materials etc. are provided, the development will employ a full range of sustainable measures commensurate with BREEAM requirements, responsible purchasing of materials and services on the project; existing materials will be re-used wherever possible.

The proposal consists of a conversion of the upper floors of the property into residential flats and is accompanied by a BREEAM Domestic: refurbishment, pre-assessment demonstrating that the proposed development would achieve a rating of 'excellent', prepared by AED, which sets out that a number of sustainable measure. A water usage statement also specifies that the proposed development would achieve a maximum consumption of 105 litres per person, per day plus an additional 5 litres per person per day for external water consumption. A prescriptive condition would be recommended on any planning consent securing the targets as stated. A completed Sustainable Construction Checklist has been submitted scoring a total of 47.5 suggesting that the scheme would help to significantly improve the borough's stock of sustainable developments. Additionally an Energy statement has been submitted that demonstrates an improvement over the 2013 building regulations TER and this advises the proposal will provide a 35.35% improvement for the development over the building regulations AD part L 2013 TER; it will also provide 13.61% of the development's annual energy requirement from a renewable source (solar photovoltaics [PV]).

The proposal would incorporate photovoltaic cells on the rear flat and pitched roof to generate 5550 KWh per year of renewable energy on site. In light of the above, the proposed development, would incorporate appropriate measures to ensure satisfactory energy conservation and efficiency would be achieved in accordance with the aims and objectives of Policy LP22 and the Sustainable Construction Checklist SPD.

Residential Amenity of Neighbouring Properties

Policy LP8 state in considering proposals for development, the Council will seek to protect adjoining properties from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance. The Council will generally seek to ensure that the design and layout of buildings enables sufficient sunlight and daylight to penetrate into and between buildings and that adjoining land or properties are protected from overshadowing in accordance with established standards.

In this respect no harm is identified from the proposed infill element, which would not bring the site closer to properties to the rear of the site as it would be built between the outrigger elements either side of it and although there would be more windows facing onto the rear of residential gardens in Selwyn Avenue in the context of the established situation and approved scheme this impact is not considered significantly detrimental to neighbouring amenity.

Environmental Health

The schemes raises no significant concerns in this regard over and above the assessment in relation to 19/2300/FUL. This previous approval was subject to the imposition of conditions in respect of noise transmission from the ground commercial use, noise protection and the kitchen extraction unit. The conditions imposed in respect of 19/2300/FUL would have also been imposed if the application were being recommended for approval.

Highways, Parking and Refuse

Policy LP44 and LP45 states that it is necessary to consider the impact of any new development on the existing wider and local transport network and that development will be required to demonstrate that the new scheme provides an appropriate level of off-street car parking. Local Plan Policy LP45 states that new development should provide appropriate cycle access and sufficient, secure cycle parking facilities. The minimum cycle parking requirement for 1-bed units is one space.

This application would provide 7 self-contained units and alterations to the exterior and the scheme does not propose any off-street parking provision for the additional residential units that would be created and given the physical constraints of the site, it is not viable to provide any. The application site is within a PTAL rated area of 6 (high). Usual policy supports the conversion without the benefit of any dedicated parking, subject to a legal agreement being in place to restrict the issuing of CPZ permits or access to contracts for Council run car parks. It is also acknowledged that these additional units would be most likely to be occupied by single persons, attracted by the relative ease and proximity to the railway station and local bus services that would enable an easy commute into central London.

The Council's Transport Officer has been consulted on the application and advised as follows:

"Recommendation: No objection subject to conditions and a legal agreement which will preclude occupants of the proposed development from obtaining on-street vehicular parking permits within controlled parking zone (CPZ) N - North Richmond.

Transport and Highway Safety Comments

Vehicular Access and Parking

The proposed development is within a building that currently has no off-street vehicular parking. The proposed development will be car-free. The site has a public transport accessibility (PTAL) score of 6a, one of the best available. I have no objection to the car-free proposal. Pedestrians can access the building from Kew Road.

The proposed development is within the CPZ N - North Richmond. The applicant will need to enter into a legal agreement with the Local Planning Authority under S106 of the Town and Country Planning Act which will preclude any occupants, except for disabled motorists, from obtaining an on-street vehicular parking permit within the CPZ.

Cycle Parking

The applicant says they can provide parking for up to 7 bicycles within the ground floor of the building. Details of the proposed cycle parking need to be secured via a pre-commencement planning condition.

Refuse Collection and Servicing

Refuse can be collected from the kerb side on Kew Road or Selwyn Avenue. The applicant has

shown that they can provide 2 x 360ml refuse bins, 1 x 360l bin for paper and card recycling, and 1 x 360 bin for mixed recycling to the rear of the ground floor of the building. These bins can be wheeled to the highway boundary on bin collection day via a private rear access footpath.

Construction Management Plan

A construction management plan must be secured via a pre-commencement planning condition. This must show how spoil from any internal demolition work will be collected, what vehicles will be used throughout the process, and what vehicular parking bays will need to be suspended and for how long. The applicant also needs to clarify whether a skip licence is needed.”

The applicant has indicated that secure cycle parking would be provided. Further details of the design of a suitable cycle parking arrangement and means of securing any cycles could be secured by an appropriately worded condition in order to ensure compliance with Policy LP45. Whilst the surrounding on-street parking is stressed; given the existing parking requirements at the application site, transport links and the relatively sustainable location; that the proposed development would not detrimentally impact the existing parking situation of the surrounding the highway network. As specified above, to discourage the use of private vehicles, the proposed residential units, if approved, limiting access to residential parking permits within the adjacent CPZ, which the applicant has indicated they would be prepared to enter into via a standard Grampian condition.

In consideration of the above; and with an appropriately conditions the proposed development is therefore considered to, on balance to be readily able to incorporate measures that would suitably control the effects of the development on the surrounding highway network, in accordance with the aims and objectives of policies LP44 and LP45 of the Local Plan (2018).

Refuse

As previously, proposed refuse is to be sited to the rear of the application site within the existing and extended refuse area. Whilst it is suggested within the applicants residential standards statement that the provision of 2 x 360 litre refuse bins, 2 x 360 litre recycling bins would be made for waste and recycling storage at the rear of the property via weekly collection through the alley way from Selwyn Avenue to satisfy standards, it is considered that, in the event of granting planning permission; specific details should be conditioned in order to safeguard the appearance of the surrounding locality and residential amenity of neighbouring occupiers and to ensure compliance with Policy LP24.

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):VAA

Dated: 20.06.2020



I agree the recommendation:

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

Dated:22.06.2020.....

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Head of Development Management:

Dated: