

Application reference: 20/3483/FUL
SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
04.12.2020	04.12.2020	29.01.2021	29.01.2021

Site:

9-10 , George Street, Richmond, TW9 1JY

Proposal:

Replacement shopfront, part second floor and roof extension, replacement fenestration, new balcony and new privacy screens to rear to facilitate part change of use of ground floor and upper floor from Class E to Class C3 residential to provide a total of 6no. self-contained residential units and associated cycle store (Amended Plans)

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

APPLICANT NAME

C/O Agent
C/O Agent
C/O Agent
C/O Agent
C/O Agent

AGENT NAME

Henry Courtier
10 Albemarle Street
London
W1S 4HH

DC Site Notice: printed on 08.12.2020 and posted on 18.12.2020 and due to expire on 08.01.2021

Consultations:

Internal/External:

Consultee

LBRuT Waste Services
14D Urban D
14D POL
LBRUT Transport
14D Urban D

Expiry Date

22.12.2020
01.04.2021
22.12.2020
22.12.2020
22.12.2020

Neighbours:

6 George Street, Richmond, TW9 1JY, - 08.12.2020
3 Red Lion Street, Richmond, TW9 1RJ, - 08.12.2020
First Floor, 3 - 5 Red Lion Street, Richmond, TW9 1RJ, - 08.12.2020
5 George Street, Richmond, TW9 1JY, - 08.12.2020
28 Lion House, Red Lion Street, Richmond, TW9 1RE, - 08.12.2020
27 Lion House, Red Lion Street, Richmond, TW9 1RE, - 08.12.2020
26 Lion House, Red Lion Street, Richmond, TW9 1RE, - 08.12.2020
25 Lion House, Red Lion Street, Richmond, TW9 1RE, - 08.12.2020
24 Lion House, Red Lion Street, Richmond, TW9 1RE, - 08.12.2020
23 Lion House, Red Lion Street, Richmond, TW9 1RE, - 08.12.2020
22 Lion House, Red Lion Street, Richmond, TW9 1RE, - 08.12.2020
21 Lion House, Red Lion Street, Richmond, TW9 1RE, - 08.12.2020
20 Lion House, Red Lion Street, Richmond, TW9 1RE, - 08.12.2020

19 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 18 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 17 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 16 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 15 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 14 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 13 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 72-73 George Street,Richmond,TW9 1HE, - 08.12.2020
 First Floor And Part Second Floor,1 Golden Court,Richmond,TW9 1EU, - 08.12.2020
 Suite 5 Part Second Floor,1 Golden Court,Richmond,TW9 1EU, - 08.12.2020
 13 George Street,Richmond,TW9 1JY, - 08.12.2020
 Ground Floor,Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 7 - 8 George Street,Richmond,TW9 1JU, - 08.12.2020
 75 - 81 George Street,Richmond,TW9 1HA, - 08.12.2020
 4 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 1 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 6 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 7 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 8 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 9 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 10 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 11 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 71 George Street,Richmond,TW9 1HE, - 08.12.2020
 12 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 2 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 5 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 3 Lion House,Red Lion Street,Richmond,TW9 1RE, - 08.12.2020
 1 Towers Place,Richmond,TW9 1EG -
 The Bridge Workspace,7B Parkshot,Richmond,TW9 2RD -

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

Development Management

Status: GTD Application:00/1857
Date:16/08/2000 Proposed Fascia Signage And Projecting Sign.

Development Management

Status: WNA Application:00/1853
Date:10/07/2000 Internal Strip Out And Re - Fit Of Retail Unit, Shop Floor And Back Of House Area.

Development Management

Status: GTD Application:01/0837
Date:07/06/2001 Proposed Projecting Sign, Internal Static.

Development Management

Status: GTD Application:94/0493/DD01
Date:15/08/1994 Details Pursuant To Condition Lb12 (archaeology) Of Planning Permission 94/0493/ful Dated 16/6/94.

Development Management

Status: GTD Application:94/0493/FUL
Date:16/06/1994 Erection Of Two Storey Retail Development Including Retaining And Refurbishment To Part Of Existing Structure.

Development Management

Status: GTD Application:94/0584/CAC
Date:16/06/1994 Demolition Of Part Of Existing Buildings

Development Management

Status: WDN Application:94/0493/DD02
Date:19/01/1996 Details Pursuant To Condition Lb08 (specified Details) Of Planning Permission 94/0493/ful Dated 16/6/94

Development Management

Status: REF Application:94/0493/DD03

Date:27/10/1995	Details Pursuant To Condition Bd05 (Materials) Of Planning Permission 94/0493/ful Dated 16/6/94
<u>Development Management</u> Status: GTD Date:09/01/1996	Application:94/0493/DD04 Details Partially Pursuant To Condition Bd05 (materials) Of Planning Permission 94/0493/ful Dated 16/6/94
<u>Development Management</u> Status: GTD Date:30/06/1995	Application:95/1467/CAC Partial Demolition Of Existing Buildings
<u>Development Management</u> Status: GTD Date:25/03/1996	Application:94/0493/DD05 Details Pursuant To Condition Bd05 (materials) Of Planning Permission 94/0493/ful Dated 16/6/94
<u>Development Management</u> Status: GTD Date:24/04/1996	Application:96/0179/FUL Erection Of A Two Storey Retail Development (revised Details)
<u>Development Management</u> Status: GTD Date:17/05/1996	Application:96/0564/FUL New Shopfront
<u>Development Management</u> Status: GTD Date:17/05/1996	Application:96/0565/ADV Erection Of Two Internally Illuminated Fascia Signs, Two Internally Illuminated Box Signs And One Externally Illuminated Projecting Sign
<u>Development Management</u> Status: GTD Date:08/08/1996	Application:96/1856/FUL Erection Of Condensor Units On Steel Brackets At Rear Of Shop Unit
<u>Development Management</u> Status: GTD Date:01/12/1980	Application:80/1373/ADV For Advertisements.
<u>Development Management</u> Status: GTD Date:21/03/1972	Application:72/0218 Installation of new shop front and erection of single storey extension to rear of premises.
<u>Development Management</u> Status: REF Date:29/06/1972	Application:72/0293/ADV For Advertisements.
<u>Development Management</u> Status: GTD Date:06/06/1972	Application:72/1175 Installation of new shopfront.
<u>Development Management</u> Status: GTD Date:23/07/1975	Application:75/0306/ADV For Advertisements.
<u>Development Management</u> Status: GTD Date:23/07/1975	Application:75/0307/ADV For Advertisements.
<u>Development Management</u> Status: GTD Date:18/08/2005	Application:05/1920/ADV Erection of 2 externally illuminated fascia signs and 1 externally illuminated projection sign.
<u>Development Management</u> Status: GTD Date:27/04/2018	Application:18/0322/FUL Proposed Change of Use from Class A1 to flexible use within Class A1 and / or Class A3
<u>Development Management</u> Status: PDE Date:	Application:20/3483/FUL Replacement shopfront, part second floor and roof extension, replacement fenestration, new balcony and new privacy screens to rear to facilitate part change of use of ground floor and upper floor

from Class E to Class C3 residential to provide a total of 6no. self-contained residential units and associated cycle store (Amended Plans)

Building Control

Deposit Date: 21.06.2000

Internal alterations new partitioning

Reference: 00/1199/FP

Building Control

Deposit Date: 26.07.2000

Internal alterations new partitioning

Reference: 00/1199/1/FP

Building Control

Deposit Date: 29.03.1996

Two storey shop unit - shell construction only.

Reference: 95/1243/2/FP

Building Control

Deposit Date: 15.05.1996

New shop front & interior fitting

Reference: 96/0447/1/FP

Building Control

Deposit Date: 17.02.1997

New Training Room

Reference: 97/0229/FP

Building Control

Deposit Date: 14.08.2007

Internal fit-out

Reference: 07/1766/IN

20/3483/FUL	
Address	9-10 George Street, Richmond TW9 1JY
Proposal	Replacement shopfront, part second floor and roof extension, replacement fenestration, new balcony and new privacy screens to rear to facilitate part change of use of ground floor and upper floor from Class E to Class C3 residential to provide a total of 6no. self-contained residential units and associated cycle store (Amended Plans)
Contact Officer	Andrew Vaughan
Legal Agreement	YES securing the following: <ul style="list-style-type: none"> - Affordable housing contribution £347,886 - Carbon offset payment £10,745 - Removal of eligibility to apply for visitors/residents parking permits for new residents of 6no. self-contained flats - Councils reasonable costs in preparing the agreement

1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

Before preparing this summary report the planning officer has visited the application site, considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

By indicating that the development proposal complies with relevant Local Plan Policies, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during the site visit, any comments received in connection with the application and any other case specific considerations which are material to the decision.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

9-10 George Street, is centrally located within Richmond, occupying a prominent high street location which is characterised by shops at ground-floor level and this is reflected in the site's designation within the Key Shopping Frontage (KSF) and within the Richmond Main Centre Boundary (MCB).

The building itself stands at 2/3 storeys across both 9 and 10 George Street. The ground floor comprises a shopfront which spans both elements while the upper floors have distinct architectural styles. The upper floors of No.10 George Street comprise a white rendered front elevation and a pitched roof. No.9 comprises a stock-brick elevation with a front pitch roof disguised behind a parapet wall, with a flat roof to the rear.

There are no listed structures within the curtilage of the site and there are no listed buildings within the immediate vicinity of the site. There are several listed buildings within the wider area, namely a row of Grade II buildings at the end of George Street, which are well separated from the application site by intervening development. The site lies within the Central Richmond Conservation Area (CA 17).

With regard to the surrounding area, the ground floor level of George Street primarily comprises retail use and other uses associated with primary retail frontage such as banks (Barclays bank next door), cafes and restaurants. Upper floors within Richmond Town Centre are mixed, comprising offices, ancillary retail, and residential.

The Central Richmond Conservation Area Statement identifies that the area covers a mainly commercial shopping area and the townscape, which is noteworthy for its variety, with consistently high quality and many exuberant individual buildings. 1 to 18 George Street are all late Victorian buildings. There are also residential areas of mainly terraced development. The greatest virtue and benefit is considered to be that there is no one dominant building style.

In terms of accessibility, the site is assessed as having 'PTAL 6a' and is therefore considered to have excellent access to public transport. George Street is served by several bus routes, and Richmond Station is located approximately 440m to the north of the site, which is served by the London Underground (District line), London Overground, and South Western Railway services into London Waterloo.

The site is within Flood Zone 1 and is therefore assessed as being at the lowest risk of flooding with a less than 1 in 1000 year chance.

Proposal

The main facets of the proposal described above includes the

- Partial demolition of existing roof to no. 10 George Street.
- Alterations to façade to no. 9 George Street.
- Alterations to the Side and rear facades.
- New shop fronts to no. 9 & 10 George Street.
- 2no. new floors to no. 9 George Street with Mansard roof.
- Internal alterations to the ground floor and first floor.

Amendments - The design amendments since the original submission can be summarised as:

- Further refinement of shopfront design;
- Traditional mansard design to No. 9 including slate materiality and traditional window design;
- Addition of brick string course to No. 9 on front and side flank elevation;
- Reduction in size of rear dormer to No. 10;
- Additional CGI viewpoint within Design and Access Statement;

3. RELEVANT PLANNING HISTORY

The planning history associated with the use of the unit dates back to the 1970s. The premises were listed as being a chemist and was previously a Superdrug an A1 retail use in the Council's Town centre Land use survey and was last used as a mobile phone/ Electronic vape shop and briefly

The comprehensive list of planning history can be found above however the most relevant planning history is as follows:

18/0322/FUL – Change of Use from Class A1 to flexible use within Class A1 and / or Class A3.

Granted 27.04.18

NB - This application was never implemented and none of the conditions attached to this consent have been discharged.

96/0564/FUL – New Shopfront. **Granted** 17.05.1996

4. CONSULTATIONS CARRIED OUT

The application was originally advertised in the press, by site notice and list of neighbours notified of this application are listed above. In response to the original consultation one observation from a local resident and an objection/observation from The Richmond society. Following the receipt of amendments a further 14 day consultation was undertaken, which expired on the 4th April and no further comments were received. In response the original consultation conducted two comments were received :

Observation from local resident: Could a suitable Condition please be attached to any consent that might be forthcoming to ensure:

1. Adequate recycling facilities are provided.
 2. All refuse bins are permanently located to the rear of the property to ensure the street scene in George Street is not impaired.
 3. Refuse is collected in perpetuity via the right of way to the rear and from Red Lion Street to both protect the street scene in George Street and to ensure refuse vehicles do not park thereon, thus obstructing traffic flow around the pedestrian crossing located immediately outside the property.
- A suitable Condition should also please be attached to any consent to ensure the residents of the residential flats are precluded from applying for parking permits in the Zone A1 Richmond Town Controlled Parking Zone.

The Richmond Society –

Observed on the initial proposal (which has been subsequently amended): Object. The existing shopfronts include traditional elements such as the decorative pilasters, console brackets, plinth, stall riser and fascia which form part of the character of these building and should be retained in line with LBRuT;s guidelines. We have no objection in principle to the other proposed alterations

Officer response: It should be noted that the pilasters to the modern shopfront are proposed to be retained and the rest upgraded to accommodate the proposals and their new distinct separation as one retail unit with one entrance to the residential above.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2019)

The key chapters applying to the site are:

4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

These policies can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

London Plan 2021

- Policy D4 – Delivering good design
- Policy D12 – Fire Safety
- Policy D6 – Housing quality and standards
- Policy H1 – Increasing housing supply
- Policy H2 – Small sites
- Policy H4 – Delivering affordable housing
- Policy H10 – Housing size mix
- Policy SI 2 – Minimising greenhouse gas emissions
- Policy SI 12 – Flood risk management
- Policy SI 13 – Sustainable drainage
- Policy T4 – Assessing and mitigating transport impacts
- Policy T5 – Cycling
- Policy T6 – Car parking

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1, LP39	Yes	
Impact on Designated Heritage Assets	LP3, LP4	Yes	
Impact on Amenity and Living Conditions	LP8	Yes	
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	
Air Quality, Sustainable Design and Construction	LP10, LP20, LP22, LP23	Yes	
Waste Management	LP24	Yes	
Borough's Centres	LP25, LP26	Yes	
New Housing, Mix, Standards and Affordable Housing	LP34, LP35, LP36	Yes	
Employment and local economy	LP41	Yes	
Sustainable Travel Choices	LP44	Yes	
Parking Standards and Servicing	LP45	Yes	

These policies can be found at

https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Supplementary Planning Documents

Affordable Housing
 Air Quality
 Design Quality
 Development Control for Noise Generating and Noise Sensitive Development
 Transport
 Refuse and Recycling Storage Requirements
 Residential Development Standards
 Shopfronts
 Small and Medium Housing Sites
 Sustainable Construction Checklist
 Richmond Village Plan

These policies can be found at:

https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

Other Local Strategies or Publications

Other strategies or publications material to the proposal are:

Community Infrastructure Levy
 Central Richmond Conservation Area 17 Statement
 Central Richmond Conservation Area 17 Appraisal
 Richmond Core Strategy
 NDSS
 Community Infrastructure Levy

Determining applications in a Conservation Area

In considering whether to grant planning permission with respect to any buildings or other land in a conservation area, Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this context, "preserving", means doing no harm.

To give effect to that duty, decisions of the court have confirmed that for development proposed to be carried out in a conservation area, a decision-maker should accord "considerable importance and weight" to the desirability of preserving or enhancing the character or appearance of the conservation area, when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This creates a strong presumption against granting planning permission where harm to the character or appearance of a conservation area is identified. The presumption can be rebutted by material considerations powerful enough to do so.

In applications where the decision-maker is satisfied that there will be no harm to the character or appearance of a conservation area, the statutory presumption against granting planning permission described above falls away. In such cases the development should be permitted or refused in accordance with the policies of the development plan and other material considerations.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Principle
- ii Design and impact on heritage assets
- iii Impact on neighbour amenity
- iv Residential standards
- v Affordable housing
- vi Sustainability
- vii Transport
- viii Flood Risk
- ix Fire safety

Context for Consideration

It is noted the previous application referred to in the planning history 18/0322/FUL was not implemented and no conditions were ever applied for or discharged in relation to that particular consent. The building is currently vacant but considered to benefit from a lawful use within Class E at ground floor level, being most recently used as an electronic gadgets / vape / phone store, which has not operated since 2017 and which was previously considered to be an A1 (retail) use. The upper floors are considered to be ancillary to the ground floor unit.

Issue i – Principle

The NPPF is clear that there should be a presumption in favour of sustainable development, that economic growth is a high priority, that planning decisions should support the role that town centres play at the heart of local communities and that planning should encourage and not act as an impediment to sustainable growth.

Policy LP 25 – Development in Centres sets out a hierarchy of centres and seeks to establish what type of development is acceptable, where it should go and the scale that is appropriate, for each type of centre. Existing policy set thresholds for impact and sequential tests. Richmond is classified as a main centre in the hierarchy, therefore parts A & B of Policy LP25 are relevant. Additional residential development on the upper floors areas within a MCB is supported at paragraph 7.1.24 in the Local Plan, which states there is scope for increasing housing stock on the upper floors of commercial buildings, provided it does not lead to an unacceptable loss of commercial floorspace. Specifically, Richmond main centre has been identified as being suitable for higher density residential development comprising of small units, such as proposed.

In regards to the loss of retail space the unit is currently vacant, but the most recent occupation was as a retail shop at ground-floor level with underutilised ancillary storage space at first floor level (totalling 590sqm). This application seeks to convert the existing ancillary first floor (285.1sqm) to provide residential accommodation, as well as additional habitable accommodation provided through upward extensions (at second and third floor level). The proposed residential element will be accessed at ground level through No. 9, alongside the provision of a dedicated bike store (totalling 62.8sqm). Accordingly, the development proposal involves the loss of a total 347.9sqm of the Class E floorspace, the majority of which is the ancillary space at first floor level.

Local Plan Policy LP26 seeks to restrict the loss of existing retail floorspace within a KSF. The policy is not explicit as to whether this protection relates to ground floorspace only, but notwithstanding, it is noted that Policy LP26 was drafted prior to the changes to the Use Class Order and introduction of Class E, which the Government introduced to provide increased flexibility to operators and reduced involvement of the planning system.

The application proposals would involve the nominal loss of ground floor retail space (62.8sqm) to facilitate residential access to the upper floor units and bicycle storage. The loss of this amount of ground floor floorspace within the KSF would generally have a minimal impact upon the overall quantum of retail provision within the Town Centre and is not considered to impact negatively upon its vitality and viability. The proposed development would retain the ground-floor retail/commercial unit of 243sqm GIA, and as such the site would continue to be able to contribute to the retail and commercial function of Richmond Town Centre.

With regards to the first floor, this has historically been used as ancillary storage associated with the ground floor shop. Accordingly, the conversion of this space to residential would not result in any loss of the main retail sales floorspace, which would be retained. The existing use of the first floor is not currently considered to represent an efficient use of land, with the residential use of upper floors also encouraged by policy and the NPPF. It is also important to note that given the existing No. 9/10 is amalgamated into a single unit and the proposed development would not reduce the overall quantum of premises within George Street in this regard the proposed change of use is also consistent with national and local planning policy.

It is also noted that SI 757 has brought about significant changes to the Use Class Order. This change came into effect on 1 September 2020. Policy observations have been provided in relation to the new use classes and in the knowledge the Government are currently consulting on a new national permitted development right for the change of use from Class E to residential, which is proposed to come into effect on the 1 August 2021.

The application has been considered by the policy team who have considered Local Plan policy LP26 - Retail frontages, which is particularly relevant as the application site is in key shopping frontage (KSF). Policy LP 26 A resists the loss of retail floorspace in KSF. However, the government's introduction of the combined commercial class means that there is considerable scope to change between uses within Class E without the need for planning permission.

In this case, the proposal would result in the partial loss of existing retail floorspace. As it is proposed that part of the existing retail unit is lost, paragraph 7.2.8 is relevant and states:

"This policy primarily protects the ground floor. It does not apply to a separate unit located to the rear of a unit fronting the main shopping street. It is acknowledged that there may be scope to convert floorspace (including ancillary space) to other uses, provided that the commercial or community use on the ground floor remains of a viable size and that this does not lead to an unacceptable loss of commercial or community space on upper floors. For retail premises, sufficient ancillary space should be retained."

According to the information submitted the remaining unit would be 243m², which would be large enough to accommodate a retail premises. Policy Officers have advised the loss of 285.1sqm above the unit if considered to be it ancillary then the loss while regrettable is aligned with policy which seeks to protect retail uses on the ground floor only. If it is not accepted that it is ancillary than potentially the loss of retail/employment floorspace should be considered. This is also a Key Office Area, where a loss of office space would be contrary to Policy LP41, unless there is marketing evidence and a sequential approach followed. Class E in fact already offers the flexibility for another commercial use, including other employment generating and some community uses, which could be well suited to this town centre location.

The policy team have confirmed their view that they are inclined to accept that the upper floor is ancillary to the ground floor retail use, which show that first floor entrance is through the ground floor unit and as such this proposal is considered to be aligned to Policy LP 25.

In addition to the policy view that the above space is ancillary, the existing unit is vacant, and it is also noted that all of the anecdotal evidence, suggests that the pandemic has hit retail centres very hard. The rise of online shopping coupled with the covid-19 pandemic has had a noticeable impact on George Street, with a number of big name retailers lost in the past 12 months. This includes the town centres flagship House of Fraser department store on the other side of George Street, which closed in September and the recent closure of Bewleys Fine shoes at 72-73 George Street, directly opposite.

Other high profile closures in the MCB have included Carphone Warehouse at 53 George St and other retail within George St and close proximity include Cos, Joseph, Laura Ashley, Massimo Dutti, Marches, TM Lewin, Smiggle and Molton Brown. It is also understood that there is an intention to repurpose the House of Fraser Store on the other side of George Street with retail on the ground-floor and offices above, which would increase the available office space in the town centre, noting that there is currently a significant amount of vacant space above shops currently within the town centre which could also be repurposed as such.

It is also noted that previous applications have identified and accepted the lack of interest from retail operators, with the floorspace generally considered to be more suited to a smaller operator than an operator who would require such expansive ancillary space over the upper floors. Residential above commercial in town centres is expressly encouraged and whereas offices could be a viable option here, it is also acknowledged that the practicalities of offices with retail on the ground-floor is often difficult to achieve and given the history of the site, and worsening market conditions it is considered that on balance it is very unlikely that a small-scale office development would be a realistic proposition here given the sites constraints, availability of vacant office space elsewhere in the town centre and in consideration of the vacancy of other large buildings such as the former House of Fraser, which are likely to present a more viable and attractive opportunity to be repurposed as office space within the town centre, contributing to this type of space overall. Acknowledging the increasing vacancy rates of both retail and offices in the town centre, and fundamental changes to working conditions during the covid pandemic, the use of the upper floor ancillary retail space as residential is considered to be acceptable and in accordance with adopted policies LP25 and LP26 and this view is supported by the Policy team.

Class E

Given the commercial nature of George Street and the fact that the majority of business can now be used within any use within class E, there is considered no reasonable basis to limit the uses within Class E which is the current lawful use of the ground-floor and acknowledging that the focus from the government is that these changes are designed to help to revive high streets and town centres and to assist landlords struggling in the Covid-19 pandemic and faced with empty units and for operators normally discouraged from locating in primary retail areas in deference to Class A1 retail uses.

As the service industry alters its modus operandi in the coming months to respond to the market and the Covid-19 pandemic, Class E has at its core, allowing for flexibility. Separate issues such as hours of operation would be a consideration for the licensing committee, depending on the likely eventual use within Class E. External works to facilitate any potential use within class E would also require separate planning permission e.g. changes to shopfronts, signage and plant and machinery, such as cooking extractor ducting, which would be a consideration for Environmental Health.

Issue ii- Design and impact on heritage assets

Paragraph 193 of the NPPF states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 196 of the NPPF states 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'.

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 LP39 (A) concerns infill development and sets out the proposed developments must reflect the character of the surrounding area. In considering infill developments, the Council will have regard to ensuring developments retain adequate separation between dwellings and spacing between buildings, respect the local development context, including incorporating or reflecting materials and detailing on existing dwellings [inter alia].

The proposals have been revised during the course of the application to be more in keeping with the character and appearance, with particular emphasis and regard to the prevailing heights of buildings in the surrounding area, and the overarching character of the Richmond Central Conservation Area of which the site forms part. In addition, the replacement of the fenestration to No. 9 seeks to improve the appearance of the building by regularising the overall proportions. The proposal seeks to create an appearance of stepping up towards 8 George Street (the higher Barclays bank building) so as to ensure consistency within the existing built form of the street and the proposed upward extension to No. 9 George Street comprises a mansard which is set back behind a parapet to minimise visibility from street level. The palette of materials utilised in the proposed upward extension has been selected to reflect existing roofs in the area. With regards to the mansard roof extension, which will be visible from street level, a traditional finish is proposed to be utilised, incorporating windows to reflect the style of those on the lower-floors of the existing building. The roof extension to No. 10 will be located to the rear of the existing sloped roof and, whilst not visible from George Street, has also been designed to comprise a traditional finish to protect the character of the Conservation Area. The proposed uplift in built form is demonstrated along George St below, which show the existing situation and proposed CGI below:

Existing:



Proposed (Southwest view)



Proposed (North East) view



Statements, proportionate to their significance and potential effects, have been provided within the comprehensive Heritage Assessment submitted with the application and used to illustrate how the application proposals would preserve the significance of the CA and other heritage assets. As stated above the Richmond Central Conservation Area interest is derived from the eclectic variety of architecture, which contributes to the historic and architectural interest of the Conservation Area, with elements of the setting of the Central Richmond Conservation Area also contributing to its heritage significance. These elements largely comprise the surrounding (and adjoining) Conservation Areas of Richmond Green, Richmond Riverside, Richmond Hill, St Matthias, Sheen Road, Kew Foot Road and Old Deer Park. The River Thames is a particularly important element of the Central Richmond Conservation Area's setting, being visible from the southern boundary and shaping the topography of the area.

However, many of the important green spaces and landmarks surrounding the Central Richmond Conservation Area, such as Richmond Green, the Old Deer Park and Richmond Palace, are not readily visible or perceptible from the application site in George St owing to the densely concentrated townscape immediately around the site. Nos. 9–10 George Street are not classified as BTMs within the Central Richmond Conservation Area appraisal and the site is located within the 'main shopping core' character area of the Conservation Area, and is visible with the former Dickens and Jones department store on the opposite side of the road, which although an important local landmark is not Listed.

It is considered that the proposed roof extension would preserve the character and appearance of the CA and would complement, rather than compete with the existing built form and have no significant harmful effect on the architectural, historic, artistic or archaeological interest of the conservation area. The proposed roof extension would ensure the diversity of the built form within the conservation area is preserved and is considered to be sympathetic. The diverse architectural character of the conservation area would be largely unaffected by the proposed works which would ensure its character and appearance is preserved by the change, noting that mansard roofs with dormer windows are a well-established feature of the Conservation Area, including on Nos. 5 and 6 further along George Street. Therefore, the incorporation of this type of roof form would be in keeping with the variety found throughout the Conservation Area.

The increase in height of the proposals would only be by 1.6m from the existing ridgeline with the various elements of the site aligning with elements of the adjacent No. 8. For example, the height of the parapet would line up with the string course on the adjacent building. This would create a more discernible second storey, compared to the existing with its central, squat window. Furthermore, the height of the mansard would line up with the base of the narrow canopy over the third floor windows on the adjacent building. In order to break up the appearance of the brickwork above the second floor level windows, an additional string course will be incorporated, as shown below:



The proposed fenestration pattern on the front elevation will have a more regular appearance and is considered to be well suited to its largely 19th and 20th century surroundings. The new second floor windows which face onto George Street are proposed to be timber-framed sash windows to match the lower floors. The dimensions, scale, massing and proportions of the proposed development will be in keeping with the prevailing townscape of the area which has higher buildings in a busy commercial centre and in scale with the surrounding townscape. The new extension would be visible from George Street, but would be sympathetic in terms of bulk, scale and mass to the surrounding area and the overall height, scale and mass would appropriately address the wider context and reflect the overall height of surrounding development. It would be an appropriate scale for the size of the site without being overly dominant and would provide a high quality and appropriate design response appropriate to its location. To the rear the surrounds are dominated by functional roofs of commercial property with a wide range of styles. The use of glazing into the rear to maximise light into the building is considered an appropriate design response.

In terms of the existing shopfront, this is not considered to make a positive impact to the Conservation Area. The proposed alterations which have been amended seek to modernise the shopfront. The new shopfront has been amended to respect the character of the Conservation Area by utilising traditional timber materials, as well as retaining traditional features such as stallrisers, mullions and fasciae. Any new advertising for the ground-floor unit would be subject to a separate advertising consent.

Overall, the design, fenestration and palette of materials are considered to relate well to the form, proportion and composition of surrounding buildings, would make a positive contribution to the local area and would address local distinctiveness and has been amended following dialogue with the Conservation Officer who has advised of their view:

"The proposed changes have been subject to continuous engagement with Conservation and Urban Design and the applicants have sought to address all previous concerns raised. It is considered that on balance the proposals are acceptable subject to conditions relating to windows, brick etc."

The proposed works would preserve the character and appearance of both the Central Richmond Conservation Areas which are primarily of interest due to their long occupation and diversity of built form. There will be a slight change to views to the front rear and side of the building, but this will not be harmful as the Richmond Central conservation areas is a robust heritage asset, capable of undergoing change without affecting its significance.

It is considered that the applicant has adequately addressed and justified the form and scale of the proposal and it is also the case that there has been no significant objection in response to the consultation conducted. The extension has also been designed so as to minimise overlooking into the adjacent residential property in Lion House to the rear. As a result, the fenestration has been carefully designed to mitigate and minimise any overlooking on the adjoining properties (discussed further below).

The development is considered to meet strategic planning policy objectives and conforms with other policies and material considerations and for the reasons identified above paragraph 195 and 196 (substantial or less than substantial harm) are not considered to be engaged and for the purposes of the duties in Section 72 of the Act the scheme will preserve the character or appearance of the Central Richmond Conservation Area. If engaging Paragraph 196 of the NPPF, the significant public benefits of the scheme are also acknowledged:

- Maximising the development potential of a brownfield site to introduce new residential units, close to local amenities in a highly sustainable town centre location
- Ensure the most efficient use of land in line with the aims of the NPPF, through the delivery of additional residential units;
- A high quality scheme which enhances and respects the site and protects the ground-floor retail offer
- In so far as the proposal would inject new life into the building, which is currently vacant the proposal would result in the enhancement of the appearance of the CA.

Overall, the proposed development will not harm the setting or significance of the Conservation Area or any BTMs, listed buildings and would therefore be in accordance with the aims and objectives of in particular adopted policies LP1, LP3 and LP4 of the Local Plan (2018) and the Small and Medium Housing Sites SPD.

Issue iii- Impact on Neighbour Amenity

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.

The properties either side, are terraced buildings with the ground floor and upper floor levels also in retail/commercial use. The bulk of the proposed additions is over the functional part of the roof, adjacent to the higher commercial Barclays building at 8 George Street which does not contain any residential flats and contains a large financial institution with offices/ancillary to this function in the upper floors. 9-13 contain Marks & Spencer's, one of the centre's main flagship stores. In context the proposals involve relatively discrete additions at mainly second and third-floor level.

In terms of overlooking and loss of privacy, the only neighbouring building containing residential development from which the development would be directly noticeable is Lion House a five storey mixed-use building with residential use in the upper floors to the south and rear of the site, above a commercial Pizza Express restaurant on the ground-floor, with a frontage onto Red Lion Street.. The proposed additional built form at second/third floor would be sited well away from this adjacent building, beyond the commercial courtyard serving Pizza express and the additional built form is concentrated toward the front part of the site onto George Street. The aerial image below demonstrates the relationship with the higher commercial Barclays building to the immediate south and the commercial buildings to the north. Lion House is the five-storey block to the rear of the site.



The scheme has been designed, so to ensure the privacy of residents of properties within the upper-floors of Lion House, and future occupiers of the proposed residential units and the extensions would be sited some considerable distance from this property which is not orientated directly towards the proposed development. None of the additional built form would contain habitable room windows directly facing within 20 metres of main facing windows in Lion House as prescribed by policy LP8 . Where there is any potential for overlooking or loss of privacy to the rear of the building, screening has been proposed, and there is adequate separation between these units and the proposed extension to ensure no significant loss of outlook, overbearing or privacy intrusion

The proposed works would amount to no demonstrable harm to neighbouring residential properties that could be considered to be subject to any reasonable objection and the current outlook is of functional flat roof, with the rooftop of the surrounding area containing ad hoc extensions and plant and machinery above the roofs of commercial buildings. The planning system cannot protect specific views from private properties but can consider whether a proposed development is intrusive or overbearing to the outlook of a property, particularly residential properties, due to the massing and proximity of a proposal, and whether this would cause demonstrable harm to the amenity of the property. Given the relative angle between the proposed extension over the roof and the rear of Lion House, such a loss would be small, and it is not considered that the proposal would be significantly detrimental to living conditions for the occupiers of those properties in terms of a reduced outlook or increased sense of enclosure to warrant a refusal on these grounds, acknowledging the tight urban grain in this busy commercial centre. It is also noted that there has been no objection to the proposal on neighbouring amenity grounds, from any of the residents within Lion House who were consulted on the proposals. The image below shows the view towards the site, taken from the commercial courtyard underneath Lion House to the rear of the site:



Overall, the proposed development is considered to have adequately addressed concerns in relation to visual dominance, overbearing and a direct loss of privacy to habitable rooms when viewed from neighbouring properties in accordance with policy LP1, LP8 and LP39. Appropriate screening would mitigate any concerns about overlooking to neighbouring properties in the neighbouring flatted block at Lion House, but in the context of the existing situation and the established urban grain such concerns are of a minor nature.

Daylight/Sunlight

A Daylight and Sunlight report has been submitted by the applicant prepared by specialist daylight consultant confirming that daylight and sunlight availability to neighbouring residential properties would satisfy British Research Establishment's (BRE) recommended values and occupiers would not be unduly harmed.

The site is relatively well separated with regard to residential dwellings and the site is predominantly bounded by commercial premises.

The application is supported by a Daylight and Sunlight report prepared by Rapley's . The submitted Daylight and Sunlight report has been prepared in accordance with the Building Research Establishment (BRE) '*Site Layout Planning for Daylight and Sunlight - a Guide to Good Practice*' (2011), to which the BRE guidance refers. The daylight/sunlight assessment has been carried out on the surrounding residential/commercial buildings that are most likely to be affected by the proposed extensions Properties which were not assessed were determined to be sited a suitable separation distance from the proposals or aligned at suitably oblique angles to need not be assessed.

The following properties were identified as warranting inclusion. On the opposite side of the intervening George Street:

- Property 75 to 81 George Street; The four storey commercial building containing the former House of Fraser, located north and west of the development site.
- Property 73 and 74 George Street; The three storey commercial building formerly containing Bewleys shoes located north of the development site directly opposite
- Property 71 George Street; a three storey commercial building containing Reiss located to the north and west of the development site.

Either side:

- Property 11 to 13 George Street; the 3-4 storey commercial buildings containing Marks and Spencer's located north and east of the development site.
- Property 4 to 6 George Street; a four storey building with mixed commercial and residential use, located west of the development site and separated from the application site by the intervening:
- Property 8 George Street; a 5/6 storey Barclays bank commercial building located west of the development site.

To the rear

- Property Lion House; a 5- storey building with mixed commercial (Pizza Express Ground-floor) and residential use in the upper floors. This property is located south of the development site.
- Property 3 to 7 Red Lion Street; 3-storey commercial buildings containing Headmasters and Cirrus located south of the development site.

The results of the Vertical Sky Component (VSC) test show that of the 239 windows tested, 235 meet or surpass their targets. This leaves only 4 windows fall short of their targets. These 4 windows all serve non-habitable or non-residential rooms in commercial property that do not require consideration under the BRE guide.

The results of the Annual Probably Sunlight Hours (APSH) test also show that all windows that face within 90 degrees due south meet or surpass the sunlighting requirements and that there are no neighbouring gardens or amenity areas directly to the north of the development. The proposed development will therefore not create any new areas which receive less than two hours of sunlight on 21st March. The proposed development therefore satisfies the BRE overshadowing to gardens and open spaces requirements. The submitted Daylight Sunlight Study (Neighbouring) confirms that there will be no noticeable impact upon the light received by neighbouring properties. Although there will be isolated instances of a shortfall within rooms/windows within commercial buildings, which are not liable for consideration, the report demonstrates the scheme is compliant in terms of impact upon daylight/sunlight amenity to neighbouring properties.

Issue iv – Residential Standards

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
2b	3p	61	70		2.0
	4p	70	79		

The proposed development has been designed to provide a good quality of internal accommodation standard as far as is practical and would comprise 6 no. dwellings, of which 5 will comprise 1 bed, 2 person dwellings, and 1 will comprise a 2 bed, 3 person dwelling and all of the units on the site would have a gross internal area in accordance with the NDSS. Flat 1.01 is split level, with the main living accommodation provided at first-floor, but this unit would also benefit from a snug/study/lounge and terrace at second-floor level, accessed from an internal staircase. The unit measures 60sqm as a 1b2p, with an additional 9.7sqm terrace area. Therefore, the required minimum internal space standards are met for the units as described within the application documentation and would lead to the creation of six additional flats in a sustainable Main Centre location, where smaller non-family type units are encouraged in accordance with Policy LP35 (A).

Policy LP35(E) states that 90% of new build housing is required to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings' and 10% of all new build housing is required to meet Building Regulation Requirement M4 (3) 'wheelchair user dwellings'. Given all units within the proposed development will be located above ground-floor level, and the inherent constraints present at the site prevent the possibility of a lift being installed, it is not possible to provide wheelchair user dwellings.

The proposed residential accommodation, including communal hallways and private access points have been designed to meet, or exceed, London Plan Space Standards, and sufficient manoeuvring space is provided within each dwelling in accordance with Part M4(2) and the Lifetime Homes criteria.

The scheme has also been designed to create outdoor courtyards through the imaginative use over the first-floor of lightwells with fully openable doors to connect the inside out. Internal layouts have been arranged to maximise light and internal layouts arranged to create good quality living and working from home space, with the courtyard layouts arranged to minimise any potential for overlooking.

The Daylight Sunlight Study (within) submitted in support of this application confirms that the majority of habitable rooms within the proposed development will receive satisfactory levels of daylight and sunlight, but owing to the inherent constraints, there are some shortfalls when assessed against BRE criteria. Notably, the bedroom to Flat 1.01 would fall short of BRE standards in the Average Daylight Factor. However, it is noted that BRE's recommendations are not intended to be implemented in a rigid fashion and given the constrained location of the site in an urban location, some shortfalls are to be expected and the policy team have identified no particular concerns regarding the standard of accommodation that would be produced, which is essentially for non-family type accommodation in a highly sustainable town centre location and when assessed as part of a planning balance it is considered a good standard of accommodation would be produced.

The results of the daylight report prepared for the prospective dwellings confirm that all of the proposed rooms tested meet or surpass their Average Daylight Factor targets with the exception of one room on the first floor (Room 2). This gives an overall compliance rate of around 93%. Room 2 achieves a result of 0.8 which is close the desired target of 1.00 and this minor shortfall is considered to be marginal given the context of this urban high street location and the use of the room being a bedroom.

The report confirms that the chosen proposed layouts for the internal rooms are considerate of the nature of the area and its neighbouring obstructions. On the whole, the future occupiers of these dwellings in the new flats have been demonstrated to benefit from adequate access to light.

In respect of sunlight to windows all habitable rooms tested, with the exception of 2 rooms on the first floor, would have at least one window that meets the requirements of the sunlight to windows test. The two rooms that fall marginally short of the sunlight requirements are located at rooms 1 and 4 on the first floor. It should be noted that the windows at these rooms do not have a direct view within 90 degrees of due south due to their sunken position and as such would not have a reasonable expectation for sunlight. The BRE guide recognises that not all windows can be oriented to benefit from good access to sunlight. In this case given the site restrictions, the best efforts are considered to have been made to orientate windows in the best position where possible and that the sunlight to windows results are acceptable in the context of the location of the development site in a busy commercial centre.

The requirements of Policy LP35 and the Residential Development Standards SPD apply to external amenity space. For flats a minimum of 5sqm of private outdoor space for 1-2-person dwellings should be provided and an extra 1 sqm should be provided for each additional occupant and this has been complied with in the form of courtyards and a private projecting balcony of 5 sq. metres for proposed flat 3.01.. The total area of amenity space provided for the six flats would amount to 47.7 sq. metres in the form of courtyards and a balcony. The spaces on the first floor are recessed into the building in the form of courtyards. Accordingly, they would only benefit from sunlight received from directly above, rather than having any southerly views. The spaces on the second floor would perform better than those on the first floor and as part of the analysis conducted in the Daylight and Sunlight report (within) an additional test to determine the reason why these spaces do not meet the recommendations is due to the presence of the protective railing around the spaces reducing access to sunlight. With the railing removed the spaces would surpass the BRE recommendations. However, the railings are also confirmed as a necessary safety feature, and this requires a compromise on the sunlight compliance. It is noted that adequate ventilation is a requirement of the Building regulations.

In conclusion whilst not all of the rooms, windows and amenity spaces within the proposed flats would be fully compliant with the BRE recommendations, the results confirm that the majority of the rooms and windows within the proposed development will receive satisfactory levels of daylight and sunlight and the results are not considered to be unusual given the urban location and the aforementioned restrictive nature of the railings. Furthermore, the availability of nearby park spaces which can be used by the residents would provide easy access to substantial outdoor spaces. Also acknowledging the constraints of the site and given the nature of this non-family residential development in a Town Centre location; where amenity space might not be expected in conducting an on-balance assessment of the submitted proposals the nature of the courtyards is not considered to weigh significant against the scheme. In light of the above, it is considered that on balance, the proposed scheme would provide a good level of internal and external space to meet the needs generated by the development when assessed as part of an overall planning balance.

Noise

The ground-floor benefits from Class E. It is noted that a previous application, suggested mechanical ventilation condition should an operator take over the ground-floor that would require this, due to the potential noise impacts this could have on the residential accommodation in the upper floors. The applicant has agreed to an appropriate condition in this regard.

Issue v – Affordable Housing

Policy LP36 requires contributions to affordable housing from all small sites, further details are set out in the Affordable Housing SPD. The financial contribution that would be sought would be discounted to represent 26% affordable housing - a blended rate is considered appropriate to reflect the four units created predominantly through conversion at first floor (from ancillary retail floorspace) (16%) plus two new units created through new floorspace at second and third floors (10%).

An Affordable Housing Statement, including details on values and a commuted sum spreadsheet, submitted with the original application suggested a contribution of £294,683. However, this was initially incorrectly at 24% (as it was done on the basis that all the new units were created through conversion).

The Council's Planning Viability Advisor was asked to review the open market value who identified a higher open market value on the basis of comparables. On this basis, a contribution of £347,886 has

been agreed. The applicant has agreed to pay this contribution through a section 106 contribution, which would satisfy policy LP36 of the Local Plan and the adopted Affordable Housing SPD and this is considered to weigh in favour of the scheme.

Issue vi – Sustainability/Air Quality

The dominant condition stipulated in terms of energy and sustainability is for all new build residential development of under 10 units to achieve at least a 35% reduction in regulated carbon dioxide emission beyond the minimum targets in Part L of the building regulations. Residential conversion should achieve a 35% reduction/BREEAM requirements.

The application has been supported by an Energy statement by Energy Calculations Ltd and SCC which provides details of various measures and the be lean, clean and green hierarchy, as well as a list of passive measures including improved thermal performance and energy efficient lighting. In terms of 'Be Green' photovoltaics have been confirmed as the most suitable energy strategy. Further savings are achieved in terms of 'Be Lean' through energy efficient insulation in the building fabric such as the walls, windows and doors.

The submitted Energy Statement confirms that with regards to the new-build element of the proposed development, the 35% reduction in carbon dioxide emissions would be achieved. With regards to the conversion element of the proposal however, owing to the inherent constraints in converting older buildings, this cannot be achieved. The applicant has offered a cash payment of £10,744.50 towards the Council's Carbon Offset Fund and this figure has been calculated on the basis of the adopted London Plan which sets the calculation as £95/tonne per year over 30 years. This funding will be secured through a s.106 agreement.

The information provided indicates the development would make a contribution towards achieving sustainable development in the Borough and full details of the proposed energy measures are detailed within the supporting statements. Policy LP22 states that new dwellings would be required to incorporate water conservation measures to achieve a maximum water consumption of 105 litres per person per day, the submitted information considers that there would be scope for this to be achieved. A standard condition is recommended in this regard.

In order to ensure the application is compliant with Local Policy, a condition is recommended on any planning consent securing the proposals meet the necessary sustainability and energy efficiency targets as stated within the submitted energy and sustainability statement by Energy Calculations Ltd.

In terms of Air Quality, the effects from the construction phase are not anticipated to be significant and the proposed additional built form will be heated through sustainable sources, with the existing parts insulation improved and consequently there will be no significant building emissions. Furthermore, as the proposed development is car-free in a PTAL 6 there would be no significant traffic movements generated.

Issue vii - Transport

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, with two spaces required for 2-bed units.

The application is for a replacement shopfront, part second floor and roof extension, replacement fenestration, new balcony and new privacy screens to the rear to facilitate part change of use of ground floor and upper floor from Class E to Class C3 residential to provide a total of 6no. self-contained residential units and associated cycle store. The site has a Ptal score of 6A (Excellent).

In terms of cycle parking, the proposal includes cycle parking to the ground floor of the building, adjacent to the entrance lobby. This would comprise of a minimum of 10 long stay and two short stay cycle parking spaces in accordance with Policy T5 of the London Plan which requires 1.5no long stay spaces per 1b2p dwelling, and 2no spaces for larger dwellings. 2no short stay spaces are required for 5-40 dwellings.

In terms of deliveries and refuse, there is an existing area to the rear of the building comprising a bin store, where access to the building can be gained. Refuse collection and deliveries relating to the retail unit take place from this area. Additional bin storage is proposed to be provided for the proposed residential units. Details and location of the bin store are required, and a condition is required to secure these details. The refuse development of 6 flats, consisting of 7 bedrooms should be provided with suitable and sufficient space to store 1 x 660L refuse bin, 1 x 360L paper and card recycling bin and 1 x 'mixed containers' recycling bin. The proposed ground floor plan shows space for 2 x 1100L bins, which would be satisfactory for the proposed development.

The Transport Officer has confirmed the cycle storage proposal for 10 long stay parking space, and 2 short stay spaces, is acceptable. A suitable condition will be required to secure the details. The applicant will be expected to enter into a S106 unilateral undertaking in order to preclude the occupants of the flats from obtaining residents parking permits. Details and location of the bin store are required, and a condition is required to secure these details.

A key aspect of this proposal will be the construction period and its impact on the highway network. In order to demonstrate the development may be carried out in a safe manner, the applicant must submit a detailed Construction Management Plan for the project, demonstrating how the works are to be carried out, including but not limited to: The number and type of vehicles that will be required, routing, methods of spoil removal and concrete supply, protection for other highway users and vulnerable pedestrians, the position of vehicles, skips, etc. Site setup drawings at a minimum scale of 1:200 are required showing the site in context of the surroundings. Given the nature of the area, the applicant should ensure that vehicle movements are contained within the hours of 09:30 and 16:30 Mon to Fri in order to avoid peak times. A suitable condition is required to secure this, and the works shall thereafter be carried out only in accordance with the approved CTMP.

The submitted proposed site plan identifies indicative details of a refuse storage and cycle parking and further details of the design of a suitable cycle parking arrangement and means of securing any cycles would be secured by an appropriately worded condition in order to ensure compliance with Policy LP45. To ensure the development is encouraged as a car free scheme, access to resident and visitor parking permits for the six new flats that would be created would be required to be restricted and this would be secured under the terms of the s.106.

Issue viii - Flood Risk

Policy LP21 requires all developments to avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere.

The application is situated entirely within Flood Zone 1 and therefore of a low risk of flooding. The development which is primarily focused at roof level would not increase the footprint of development at ground-floor level and is therefore considered to be safe from a flood risk perspective. The proposed change of use and would not make the site more vulnerable to flood risk and there is no reasonable basis to claim that it would.

Issue ix – Fire Safety

Following the publication of the London Plan 2021, Policy D12 states:

In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire, including appropriate fire alarm systems and passive and active fire safety measures
- 3) are constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and

which all building users can have confidence in

6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The application is supported with a statement in consideration of Policy D12 which advises that The proposed development has been designed to incorporate appropriate features which help to reduce the risk to life and serious injury in a case of a fire. Two forms of access and egress stairs to the front and rear of the property. Using fire exit signage, fire, smoke alarms, sprinklers, dry risers and having sterile areas. This will be developed in conjunction with the Fire Engineer and Building Control to meet building regulations.

In relation to the construction approach the proposed development will be constructed of masonry materials, insulated with mineral wool and use separation construction methods to minimise the risk fire spread. This will be developed in conjunction with the Fire Engineer and Building Control to meet building regulations.

In relation to the this and as stated above there are two forms of escape from the front and rear of the property. These will be sterile areas, with signage, alarmed and emergency lite to meet building regulations. This will be developed in conjunction with the Fire Engineer and Building Control to insure they comply with building regulations and provide each building user an evacuation strategy.

It is advised the evacuation strategy will be developed with the Fire Engineer, Building Control and London Fire Brigade. This will be reviewed on a periodic bases by the building management company and will be published and given to all building users and in relation to part 6 of policy D12 the proposed development has been designed to allow for suitable access and equipment. This will be developed with the Fire Engineer, Building Control and London Fire Brigade. Therefore, information has been provided that advises that the requirement of policy D12 will be met.

7. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

On initial assessment this development is considered liable for the Mayoral and Richmond CIL however this is subject to confirmation by the CIL Administration Team.

In terms of Housing Land Supply at the time of writing, the Council is able to demonstrate more than 5 years of housing land supply including buffer and has a Local Plan which has been adopted within the last five years. Therefore, for the purpose of determining this planning application, the LPA is able to demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer). The ordinary planning balance having regard to the statutory test in section 38(6) of the 2004 Act is therefore engaged.

8. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application process. In making this recommendation consideration has been had to the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in Chapter 16 of the NPPF.

Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. For the reasons set out above, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

Grant planning permission with conditions



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 YES NO

Case Officer (Initials):VAA..... Dated: 27.04.21.....

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

South Area Team Manager: 

Dated:14.07.2021.....