

PLANNING AND HERITAGE STATEMENT

(Incorporating Design and Access Statement)

**THE ROSE OF YORK
PETERSHAM ROAD
RICHMOND
TW10 6UY**



December 2021

CTP Ref: JCC/5949/Rose of York/PS

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1.0 INTRODUCTION

1.1 This planning and heritage statement has been prepared by Cunnane Town Planning LLP on behalf of LPS (Richmond) Holdings. It forms part of a planning application that is being submitted to the London Borough of Richmond upon Thames in respect of The Rose of York, Petersham Road, Richmond, TW10 6UY.

1.2 This application follows the withdrawal of a previous application on the site (planning reference: 18/3985/FUL) on the 30th October 2020. The application was made valid on the 20th February 2020. The application sought planning permission for the:

Refurbishment and extension of the Rose of York Public House to provide an additional sixteen guest bedrooms as well as associated landscaping and car parking.

1.3 Internal consultation was undertaken by the Council on the application. The Council's Transport and Highways team raised no objection subject to conditions. The Council's Arboricultural officer provided a response via email detailing their concerns. This application addresses the concerns raised. The Council's Ecologist raised no objections subject to the imposition of certain conditions.

1.4 No further comments were received from the Council on the application. The submission of the application was preceded by a detailed pre-application process, with a detailed letter provided by the Council on the 12th January 2017 (attached at Appendix 1).

1.5 Notwithstanding the support expressed by the Council detailed above, full planning permission is sought for a materially similar set of proposals set out as follows:

*Refurbishment and extension of the Rose of York Public House to provide an additional **fifteen** guest bedrooms as well as associated landscaping and car parking.*

- 1.6 The proposal would involve the reduction of the existing pub/restaurant floorspace and the provision of an additional fifteen lettable guest bedrooms – a reduction of one guest bedroom from the previously withdrawn application. The additional guest bedrooms would be provided in the space that is currently occupied by the 1960s underground garage / car park and in a further wing to the side. A new pedestrian access to the site from Petersham Road via a new stairway is also proposed.
- 1.7 This statement should be read in conjunction with the application drawings and the other technical reports that make up this application.
- 1.8 This statement details the nature of the application site and the surrounding area, the site history, and relevant development plan policies and associated guidance, followed by an assessment of the proposals against those policies, guidance and any other material planning considerations.
- 1.9 The statement concludes that the proposals accord with the adopted development plan and all other material planning considerations and accordingly planning permission should be granted, subject to the imposition of appropriate and reasonable conditions.

2.0 SITE AND SURROUNDINGS

- 2.1 The application site comprises a two-storey building currently in use as a public house with accommodation, known as The Rose of York. The building provides a bar with a dining area, as well as twelve guest bedrooms, four staff rooms and a managers' apartment.
- 2.2 A single vehicle crossover (located at the centre of the site's western boundary) serves to provide access to the site via Petersham Road (A307). This entrance provides access to an area of hardstanding and twenty-two car parking spaces to the north of the main building. An additional fourteen car parking spaces are provided in an underground / covered car park to the east of the building. All servicing activity is currently undertaken on site.
- 2.3 There is also a pedestrian access to the site close to the site's boundary with Petersham Common Woods, again accessed via Petersham Road (A307).
- 2.4 The site, which is broadly triangular in shape, lies between The Petersham Hotel (located to the east, further up Richmond Hill), and Petersham Road (A307) to the west. Nightingale Lane runs along the site's northern boundary and Petersham Common Woods are located to the south. Richmond Town Centre is located circa 800m north of the site, with additional local amenities located circa 200m east of the site at the top of Richmond Hill.
- 2.5 The surrounding area comprises a mix of commercial, residential and leisure elements. Petersham Road (A307) itself is lined by residential units, as well as green space. Within 1km north of the site, Petersham Road becomes Hill Rise / Hill Street, where there are numerous shops, coffee shops, restaurants, bars, and a cinema. The road then continues into the heart of Richmond Town Centre.
- 2.6 The site has a PTAL of 2. Although the site is not located within a Controlled Parking Zone (CPZ), many of the surrounding roads are, including Nightingale Lane, which is located within CPZ-A2 (Richmond Hill) where there is a combination of single yellow lines and mixed-use parking bays. The CPZ prevents hotel guests from parking in the surrounding area throughout the day.

- 2.7 The site falls within the Richmond Hill Conservation Area (Policy LP3) and is designated Metropolitan Open Land (Policy LP13). It also falls within the Thames Policy Area (Policy LP18) and is subject to a protected view designation (Policy LP5). It lies directly adjacent to an “Other Site of Nature Importance” (Policy LP14).
- 2.8 The building is not nationally listed, however is locally listed as a Building of Townscape Merit, having been designated as such by the London Borough of Richmond upon Thames in March 1982. The Petersham Hotel is also a Building of Townscape Merit.
- 2.9 The site falls within Flood Zone 1, as shown on the Government’s Flood Map for Planning.

3.0 PLANNING HISTORY AND CONTEXT

3.1 As detailed in Section 1, a planning application (planning reference: 18/3985/FUL) was submitted to the London Borough of Richmond upon Thames in 2018. The application sought planning permission for the:

Refurbishment and extension of the Rose of York Public House to provide an additional sixteen guest bedrooms as well as associated landscaping and car parking.

3.2 Internal consultation was undertaken by the Council on the application. The Council's Transport and Highways team raised no objection subject to conditions. The Council's Arboricultural officer provided a response via email detailing their concerns. This application addresses the concerns raised. The Council's Ecologist raised no objections subject to the imposition of certain conditions.

3.3 No further comments were received from the Council on the application. As will be demonstrated, whilst there have been changes to planning policy (adoption of London Plan and NPPF), none of them are considered material to the determination of this application. The submission of the application was preceded by a detailed pre-application process, with a detailed letter provided by the Council on the 12th January 2017 (attached at **Appendix 1**).

3.4 Aside from the above, and minor applications for trees on the site and one relating to alterations to the kitchen to accommodate a new extractor fan, the Council's statutory register of planning applications reveals no recent (since 1990) planning history.

3.5 In 1989, the Council granted permission for the conversion of part of the first floor area to provide nine lettable bedrooms with en suite bathrooms (ref: 89/2220/FUL). There was a single condition attached to the decision which stated that the lettable bedrooms should not be occupied until ten car parking spaces were designated for use in association with the scheme in the pre-existing underground car park on site.

- 3.6 In 1986, the Council granted permission for alterations and refurbishment involving the erection of new external stairs, new balustrades to the existing external stairs and the erection of a first floor extension.

4.0 PROPOSED DEVELOPMENT

- 4.1 The proposals for which planning permission is sought involve the refurbishment and extension of the public house to provide additional guest bedrooms, as well as associated landscaping and car parking.
- 4.2 The proposal would involve the reduction of the existing pub/restaurant floorspace and the provision of an additional **fifteen** lettable guest bedrooms, taking the total number of lettable rooms to twenty-seven. The additional guest bedrooms would be provided in the space that is currently occupied by the 1960s underground garage / car park, and in a further wing to the side. A new pedestrian access to the site from Petersham Road via a new stairway is also proposed.
- 4.3 The proposed two-storey side extension would be lower in height than the existing building to ensure that the Protected View is not compromised. In contrast to the previously withdrawn application (18/3985/FUL) the two-storey extension part of the proposal is further reduced by approximately a third in width and bulk. In all other aspects, this extension has been designed having had regard to the form, massing and materiality of the host BTM. In this way, and as a result of the further reduction in massing, the proposed extension will harmonise with both the host BTM and also the surrounding area.
- 4.4 The new pedestrian access is proposed to be located at the front of the building, following the removal of an unsympathetic alteration. A single-storey extension with balcony will also be removed from the rear of the building. These alterations will allow the existing building to be returned to its original floor plan.
- 4.5 The landscaping proposed for the car park will allow the tarmacked area further up the hill to be replaced by planting. Further landscaping, together with the retention of the existing mature landscaping / trees, will ensure that the two-storey extension is appropriately screened.
- 4.6 In land use terms, the use of the building will not change. The use of part of a public house for “inn” accommodation is a traditional function and in planning

terms it is accepted as an ancillary use. There is an established A4 use on the site and the proposed additional letting rooms would represent the continued provision of a complimentary and ancillary use (evidenced by the fact that there would be no lobby facilities provided for the “hotel” element). The Council’s pre-application advice states:

“The proposal would include a small reduction of Public House floorspace, however the main use on site (the PH and hotel accommodation) will be maintained”

5.0 PLANNING POLICY

- 5.1 At local level, the Development Plan for the application site and its surroundings comprises the Richmond Local Plan (adopted July 2018).
- 5.2 At regional level, the most recent London Plan were published by the Mayor of London in March 2021.
- 5.3 At national level, a revised version of the National Planning Policy Framework (NPPF) was published by the Government in July 2021. The NPPF streamlines previous national planning policy into a consolidated set of priorities, to ensure that planning decisions reflect genuine national objectives, with the principle of sustainable development permeating the framework. The National Planning Policy Guidance (NPPG) was launched by the Government in March 2014 and streamlines previously published national guidance, which had taken the form of planning policy guidance notes and planning policy statements.
- 5.4 This statement now sets out the planning policies, objectives and guidance at local and national level considered relevant to the proposed development.

Richmond Local Plan

- 5.6 The Local Plan was adopted in July 2018 and sets out the key elements of the Council's planning vision and strategy, as well as setting out detailed policies for managing development within the Borough. Adopted policies relevant to this application include:

Policy LP1	Local Character and Design Quality
Policy LP3	Designated Heritage Assets
Policy LP5	Views and Vistas
Policy LP13	Green Belt, Metropolitan Open Land and Green Space
Policy LP16	Trees, Woodlands and Landscape
Policy LP17	Green Roofs and Walls
Policy LP18	River Corridors
Policy LP27	Local Shops, Services and Public Houses

Policy LP28	Social and Community Infrastructure
Policy LP39	Infill, Backland and Back Garden Development
Policy LP40	Employment and Local Economy
Policy LP43	Visitor Economy
Policy LP45	Parking Standards and Servicing

Relevant Local Supplementary Planning Documents/Guidance

5.7 The following Supplementary Guidance Documents are relevant to the proposals:

SPD 'House Extensions and External Alterations' (2015)

SPD 'Buildings of Townscape Merit' (2015)

SPD 'Design Quality' (2006)

SPD 'Front Garden and Other Off-Street Parking Standards' (2006)

SPD 'Sustainable Construction Checklist' (2016)

The London Plan

5.8 The most recent version of the London Plan was published in March 2021. The London Plan provides a spatial development strategy for Greater London over the next twenty to twenty-five years. Chapter One sets out the six objectives for achieving Good Growth to allow for planning of London's future. Of particular relevance are GG1 Building strong and inclusive communities, GG2 Making the best use of land and GG5 Growing a good economy.

5.9 Other policies relevant to this application include:

Policy E10 Visitor Infrastructure states (A) that London's visitor economy and associated employment should be strengthened by enhancing and extending its visitor experience and supporting infrastructure. Part C considers that a sufficient supply and range of serviced accommodation should be maintained. **Policy G3 Metropolitan Open Land** states that MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt. **Policy D4** seeks

to deliver good design through design analysis and design scrutiny. **Policy D12 Fire safety** states that all development proposals must achieve the highest standards of fire safety. **Policy SI 13 Sustainable drainage** considers that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features. **Policy T6.4 Hotel and leisure uses parking** provides guidance on the level of parking based upon location, including PTAL levels and operational needs. **Policy T6.5 Non-residential disabled persons parking** and **Table 10.6** set out the appropriate level of disabled persons parking.

Government Guidance

- 5.10 In March 2012, the Government published the National Planning Policy Framework (NPPF), following public consultation. This version of the document was superseded in July 2021 by the revised NPPF. Sections relevant to this application include those that relate to protecting social/community facilities, development in the green belt and conservation of historic buildings.
- 5.11 Also relevant is the National Planning Policy Guidance (NPPG), which was launched by the Government in March 2014. The NPPG streamlines previously published national guidance, which had previously taken the form of planning policy guidance notes and planning policy statements.

6.0 PLANNING AND HERITAGE ASSESSMENT (INCORPORATING DESIGN AND ACCESS STATEMENT)

6.1 The starting point for determining any planning application is set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states that:

“where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”

6.2 This planning application raises various planning issues, and this statement now appraises the proposals in respect of these issues:

- (i) Public House viability and visitor accommodation targets;
- (ii) The principle of the proposed new and altered elements, including changes to the parking garage; the proposed 2-storey side extension; and the proposed new pedestrian access from Petersham Road;
- (iii) Design;
- (iv) Heritage;
- (v) Transport, parking and access;
- (vi) Trees, ecology and other issues.

Issue (i) - Public House viability and visitor accommodation targets

6.3 It is considered that one of the key policy issues relating to this application is the emphasis that local, regional and national policy places on supporting Public Houses and the role of hotel accommodation in contributing to sustainable economic development. The new London Plan states, in Policy HC7 ‘Protecting

Public Houses', that Boroughs should protect Public Houses. Policy LP27 of Richmond's Local Plan, 'Local Shops, Services and Public Houses', notes that the Council will resist the loss of Public Houses. Policy LP28, 'Social and Community Infrastructure', notes that proposals for new (or extensions to) existing social and community infrastructure will be supported. It is clear that approving this application would improve the viability of The Rose of York by providing extra guest accommodation that will also benefit the wider local economy. Resisting the loss of Public Houses is not always about stopping changes of use on sites; it is also about ensuring that Public Houses remain viable, vibrant, focal points of the community. In this way, the temptation for landowners to change the use of the site can be reduced. The proposals therefore comply with the spirit of the aforementioned policies as they will ensure that the Public House in question can continue to operate successfully in a difficult climate.

- 6.4 Furthermore, Policy LP43 of the Local Plan, 'Visitor Economy', is of direct relevance to the proposals. This policy states:

"In relation to visitor accommodation, proposals which increase the number of bedspaces will be supported subject to other Local Plan policies"

- 6.5 This accords with the corresponding section of the London Plan 2021 in paragraph 6.10.2 which estimates that London will need to build an additional 58,000 bedrooms of serviced accommodation by 2041, which is an average of 2,230 bedrooms per annum. The Local Plan also refers to the 2012 Hotel Study by Roger Tym PBA, which estimates a potential requirement of approximately 900 new bedrooms in the borough by 2026. In addition, the London Tourism Action Plan 2009-2013 identifies a potential additional room requirement for the borough of 300 serviced rooms by 2036. Therefore, it is clear that this proposal should be supported on the grounds that it contributes to meeting these bedspace targets in a way that does not conflict with other Local Plan policies, as will now be discussed.

Issue (ii) - The principle of the proposed new and altered elements*Parking Garage*

6.6 The underground car park / garage that exists presently on the site is proposed to be removed as part of the proposals. As stated in the pre-application advice, this aspect of the proposal is found to be “*acceptable in principle*”. The car park will be replaced with guest accommodation with a green roof (which currently forms part of a garden for the above Petersham Hotel). An additional glazed courtyard and lightwell (with glazed balustrades) will be introduced to ensure that an ample amount of light and air reach guests’ rooms. The retaining walls on either side would be maintained. The Council raise no objection to the proposed underground guest accommodation in their pre-application advice.

6.7 However, the Council’s pre-application advice states:

“...there is a concern with regards to loss of almost half of the garden (green roof) serving Petersham Hotel in order to accommodate a lightwell and glazed courtyard. The proposed 2.5m wide and 13m long opening would lead to loss of the garden and to visual intrusion on the adjacent Petersham Hotel and surrounding Conservation Area”.

6.8 Firstly, it is important to note that the garden, although accessible via the Petersham Hotel, is on land owned by the owners of the Rose of York Public House. The Petersham Hotel only has access to this land via a license granted to it by the owners of The Rose of York.

6.9 Secondly, as the Proposed Views document clearly illustrates (views 6 and 7), less than half of the garden would be lost as a result of the proposals and planting / green roof would mitigate any potential “*visual intrusion*”. If anything, this area would appear greener (and the building more shielded) in the context of the wider Conservation Area thanks to this additional planting / green roof, as the Proposed Views show.

- 6.10 It is considered very unlikely that the proposed lightwell would cause undue light spillage on to the adjacent Petersham Common as the pre-application advice suggests it might. Firstly, the lightwell will be shielded as much as possible by vegetation / planting. Secondly, given that this area of the Common is very close to the A307 and the existing Rose of York and Petersham buildings, it is not considered that the addition of a lightwell would inappropriately intensify the amount of light that this part of the Common is subject to. Image 1 below shows the section of the Common looking on to the Rose of York: the A307 is clearly visible even when the trees are covered in leaves. This area is even more open in winter (as Image 2 shows) meaning that there is existing light spillage from the road at all times (note the lamp-posts on either side of the road).



Image 1: View of Rose of York from Petersham Common



Image 2: View of Rose of York / Petersham Common from A307

- 6.11 In addition, as Image 3 shows, the rear elevation of the Petersham Hotel contains a large number of windows. These dozens of windows, which look out over the Common only slightly further up the hill from where the proposed lightwell is to be located, are likely to have a far more significant effect in terms of light spillage on the Common than the proposed lightwell. It is therefore considered that the lightwell will have a negligible impact on the Common when it comes to potential light spillage, considering the pre-existing context. The applicant is happy for appropriate conditions to be imposed in relation to this issue.



Image 3: View of Petersham Hotel from Petersham Common

Proposed Two-Storey Side Extension

- 6.12 No objections were received from the Council's planning officer in respect of this element of the proposal on the previous planning application. Nevertheless, a full assessment of the scaled-back two-storey side extension has been undertaken; making reference to the pre-application advice received 12th

January 2017. The Council's pre-application advice stated the following in relation to this element of the proposed scheme:

"The proposed 2-storey side extension, by reason of its height, width and depth, would not appear subservient to the main host building and it would significantly affect landscape views from the Petersham Road as well as landscape views from the Petersham Hotel."

- 6.13 In their pre-application advice, the Council cite the *House Extensions and External Alterations* SPD. It is stated in Paragraph 1.1.2 of the document's introduction that *"the guidance applies to the design of all house extensions and alterations"*. The building is not a dwellinghouse, so some parts of the SPD are not considered to be relevant to this proposed commercial extension.
- 6.14 Nevertheless, the principles of the SPD were taken into account when the scheme was drawn up. The SPD states, in paragraph 5.2.1, that such extensions should not *"dominate the existing house or its neighbours"* and should *"harmonise with the house's original appearance"*.
- 6.15 Due to the unusual form of the building, even though the reduced extension could still be said to be greater than half the width of the original building; the reduction in its massing by approximately as third results in an extension that plainly does not *"over-dominate the building's original scale and character"* or mean that it *"dominates the existing house or its neighbours"*, for the following reasons:
- The extension continues to be lower in height than the existing building, as Proposed Elevation E clearly shows;
 - The extension is set back considerably from the front elevation of the building (i.e. the elevation fronting Petersham Road), and will be screened by planting;
 - In terms of floor area, the extension is now significantly less than a third of the size of the existing building following its reduction in size, as the Proposed Site Plan shows;
 - The extension is well screened from the Petersham Hotel above, as the Proposed Views show;

- The extension harmonises with the existing building due to the materials used.

6.16 It is therefore clear that the height, reduced width and depth and overall reduction in massing - following changes to the previous scheme- of the proposed extension would indeed lead to it appearing subservient to the existing building, while also harmonising with the building as existing.

6.17 Furthermore, the proposed extension would not significantly affect landscape views from both the A307 and the Petersham Hotel. Proposed Views 1 and 2 illustrate how the extension will look from the road. These images show that there is already a considerable amount of wall frontage visible from the road in this area and the proposed reduced extension will not significantly adversely alter this fact. The Petersham Hotel will still be visible from the road to much the same extent as it is now which also means that, crucially, the view from the Petersham Hotel itself will be much the same as it is at present. The view of the river from the Petersham Hotel will not be affected by the proposed extension, as illustrated by Proposed Views 6 and 7. Taking into account the reduction in the overall massing of the extension from the previous scheme, it is considered that this is an extension that has been designed having had regard to these important views.

6.18 The pre-application advice also states the following:

“The new wing would close a gap providing an important glimpse of the protected view of the river, from the terrace of the hotel above, which would be considered to have an undue impact on the Petersham Hotel, Metropolitan Open Land, Protected View area and Richmond Hill Conservation Area.”

6.19 The site photographs and the Proposed Views previously referred to show that this is not the case: the extension would not close a gap providing a view. Therefore, the Petersham Hotel, Metropolitan Open Land, Protected View and Conservation Area would not be negatively impacted by the proposed extension.

New Proposed Access at Front Wing of Existing Building

6.20 As part of the pre-application scheme, a two-storey extension was proposed for the front wing of the building. The pre-application response from the Council did not support this, due to the Council's view that the original footprint of the building should be maintained. The applicant has taken this view into account and there is now no extension proposed to be added to this part of the building. Instead, the existing unsympathetic structure is proposed to be removed and replaced with a new pedestrian access from Petersham Road in the form of stairs. This was discussed with the Council prior to their issuance of the pre-application advice and was found to be acceptable. Proposed Views 3, 4 and 5 illustrate how this amendment will improve the building and its relationship with the surrounding area.

Issue (iii) - Design

6.21 Some aspects of the design of the building have been discussed in the preceding paragraphs. This section will mainly focus on how the scheme complies with the relevant design policies and guidance.

6.22 Policy LP1 of the Local Plan relates to 'Local Character and Design Quality'. The proposed development accords wholly with this policy, for the following reasons:

- The proposals have demonstrated a thorough understanding of the site and its surroundings by ensuring that amended, reduced two-storey side extension does not contribute to the loss of the protected view or adversely impact the MOL / Conservation Area, as detailed previously;
- The proposals have taken the opportunity to improve the quality and character of the existing building, notably by removing unsympathetic elements on the front elevation to both return the building to its original floor plan in this area, and enable the provision of a new pedestrian access to the site;
- The proposals will ensure that the new extension will appear subordinate to the existing building for the reasons discussed in previous sections;

- The entrance to what was is currently the underground car park will be landscaped: what was previously tarmac will become green space, which will improve the view of this part of the site (and the hill in general), from all angles;
- The materials used will be of the highest quality and will match and / or complement the existing building as much as possible. Improvements, such as the addition of new clay tiles to the building's roof, will also be made;

6.23 In terms of heritage, Policy LP3, 'Designated Heritage Asset', is relevant. The building itself is a Building of Townscape Merit, i.e. it is a non-designated heritage asset. However, as the site falls within the Richmond Hill Conservation Area, which is a designated heritage asset, this policy is relevant.

6.24 No substantial demolition is proposed to the historic elements of the building as part of the proposals. Part B of Policy LP3 specifically relates to Conservation Areas. The proposals would not cause substantial harm or loss to the significance of the heritage asset and would achieve a significant public benefit by helping the borough meet its targets for additional visitor capacity and helping to retain a social / community facility. This would benefit the wider local economy. As there is no requirement to outweigh any harm / loss, because neither is taking place, it is simply a planning benefit that these public benefits will be provided as a result of the proposals.

6.25 The proposals will preserve the Conservation Area due to the sensitive design of the proposed extension, and will indeed enhance it in some ways, including the landscaping of parts of the hill which are currently tarmac, and the removal of unsympathetic alterations such as the structure on the front elevation of the hotel / the underground car park. The existing mix of slate and tiled roofs will be retained, and the frontage of the site will be made more active thanks to the introduction of a new pedestrian entrance. The Proposed Views, Proposed Plans and Site Photographs illustrate these points very clearly.

6.26 Policy LP4, relating to 'Non-Designated Heritage Assets', is also relevant: as mentioned above, the pub is a Building of Townscape Merit. The same points

mentioned in the preceding paragraphs apply: the character and setting of the BTM will be enhanced by the proposals. The building is not being demolished; indeed, the only works of that nature are intended to restore the existing building to its original floor plan, an act which will contribute to enhancing the building's architectural integrity and historic interest, all while ensuring the building remains viable in its current use by increasing the visitor capacity of the hotel. In this way, the building's character will only be enhanced by the proposals.

6.27 As required by Policy LP5, 'Views and Vistas', CGI imagery has been provided to demonstrate that the quality of the protected view in question would not be compromised by the proposals. The proposed development would not interrupt, disrupt or detract from this view, thanks to the sensitive nature of its design. Indeed, as Proposed View 5 shows, thanks to the fact that some of the area that is presently covered in tarmac will be greened, the view from the road will be enhanced to some degree.

6.28 With regard to Policy LP13 'Green Belt, Metropolitan Land and Local Green Space', it is considered that the proposals would not have a negative effect on the openness and character of the Metropolitan Open Land, and, indeed, would not represent "*inappropriate development*". Policy G3 A of the new London Plan states that MOL is afforded the same status and level of protection as Green Belt and A1) that MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt. Paragraph 149 of the NPPF states that LPAs should regard the construction of new buildings as inappropriate in the Green Belt, but include as an exception (c):

"the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building"

6.29 The extension and alterations proposed are clearly not "*disproportionate*". The proposed two storey side extension, when compared to the existing main building and the previous scheme now withdrawn, would have a footprint of slightly less than a third of the size of the existing main building. This is a proportionate addition, especially when one considers the fact that much of the

proposed side extension will fall within the footprint of the existing underground car park.

6.30 Furthermore, the NPPF in paragraph 149 (g) also lists as an exception the following:

“Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would:

- *Not have a greater impact on the openness of the Green Belt than the existing development; or*
- *Not cause substantial harm to the openness of the green Belt, where the development would re-use previously developed land and contribute to meeting an identifies affordable housing need within the area of the local planning authority.”*

6.31 As the existing and proposed site plans show, the two-storey side extension is proposed to be built on previously developed land. Presently, this land comprises the underground car park, walls, fences and landscaping to complement the existing patio garden. The proposed extension would not have a greater impact on the openness of the Metropolitan Open Land as is clearly illustrated by the Proposed Views document. Furthermore, the fact that other parts of the site are to be landscaped following the removal of the existing underground car park (shown in Proposed View 5), means that the openness of the MOL will be improved, with visual impact thereby being reduced in some areas.

6.32 The requirements of Policy LP13 and the relevant paragraphs of the NPPF are therefore met by the proposed scheme.

6.33 A green roof is proposed to be provided over much of the proposed guest accommodation in the area that was previously the underground car park. It is not proposed to provide a green roof over the proposed two storey extension as to do so would mean that the character of the BTM would be diminished as the roof would appear out of context when compared to the existing building. In this way, the proposal accords with part A. (6) of Policy LP39 ‘Infill, Backland and

Back Garden Development’, which states that such development should “*incorporate or reflect materials and detailing on existing dwellings, in accordance with Policy LP1 ‘Local Character and Design Quality’*”.

- 6.34 Regarding other aspects of Policy LP39, it is noted firstly that the policy states that there is a presumption against the loss of back gardens due to the need to maintain local character, amenity space and diversity. With regard to the garden that is currently used by the Petersham Hotel (under license, as discussed earlier in this statement), it is considered that the proposals comply with all aspects of part A of the policy. In addition, the fact that only some of the garden is being removed and nothing is actually being built on top of it means that the proposed scheme, with specific regard to the garden, is intimate in scale and protects any amenity that the garden provides.

Issue (iv) – Heritage

- 6.35 Heritage issues in so far as they relate to policy have been discussed in the previous section; this section mainly seeks to provide an outline of the history of the site.
- 6.36 The Rose of York stands on the site of former stables between Richmond Hill’s Common and Petersham Common. These commons were originally contiguous until, in 1639, a strip of land was granted to Francis Barnard on condition that he made and maintained “*a sufficient fence...with a gate and stile*” between the two commons in order to stop grazing animals straying across the manor boundaries.
- 6.37 This strip of land was later split into three sections: at the top end, the villa called ‘The Wick’ replaced the Bull’s Head tavern in 1775; in the middle, a substantial house was built (named ‘Nightingale Cottage’), which was acquired by the Richmond Hill Hotel Company in 1863. This building was further developed over time and eventually came to be renamed the Petersham Hotel in 1978. At the bottom of the strip was the land that is now The Rose of York, which was originally a stable facility.

- 6.38 The map extract copied below (dated 1938) shows that the building's distinctive horseshoe shape has previously been augmented by extensions which are no longer present. One of the extensions (the larger) fronts Petersham Road whereas the other is at the rear of the building, where the extension that is the subject of this application is proposed to be sited. Also visible is a building in the corner of Petersham Common closest to The Rose of York, which was originally used as alms houses before being removed completely.

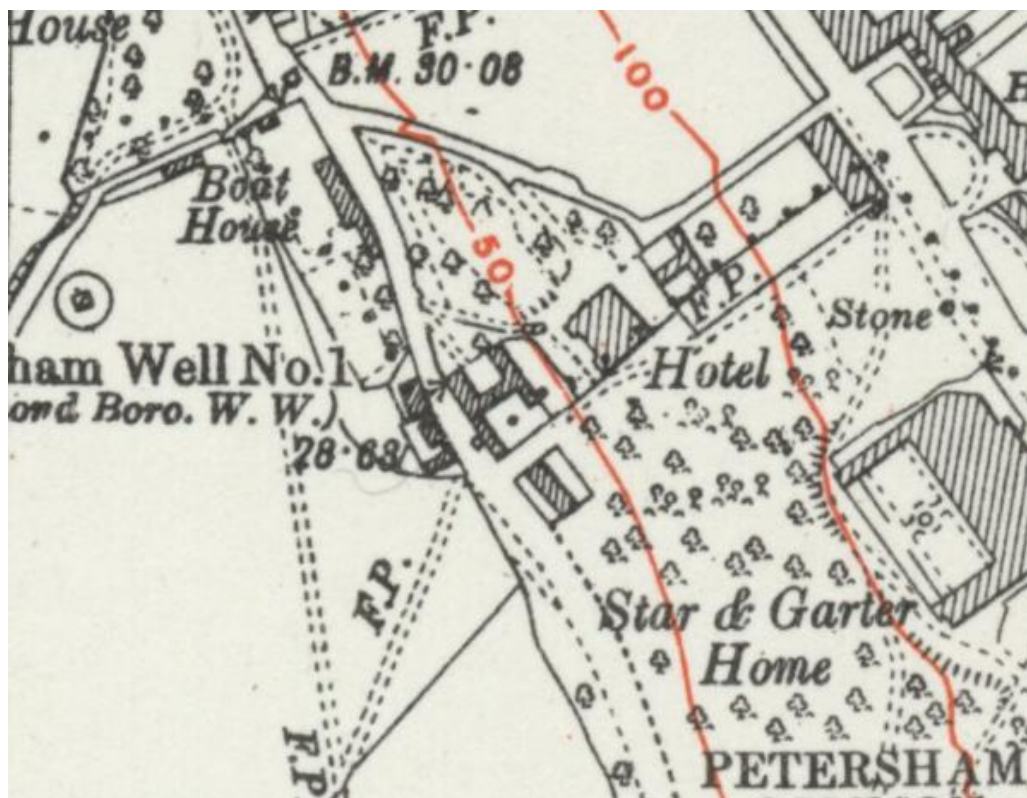


Image 4: Map of Petersham Area with application site at centre (1938)

- 6.39 As well as confirming that this land is “previously developed land”, the map shows that it is not unprecedented for an extension to be attached to the building

as this has been the case historically. Given that this map is dated 1938, it is also apparent that these extensions were located on the site after the Richmond, Petersham and Ham Open Spaces Act came into force in 1902. Therefore, the significance, character and setting of the building under its current designation as a BTM would not be adversely impacted by the proposed extension, and in that sense these elements would be protected.

Issue (v) - Transport, Parking and Access

6.40 The Council's highways officer on the previously withdrawn application (18/3985/FUL) raised no objection to the proposals subject conditions. Nevertheless, the accompanying Transport Statement and draft Construction Management Plan have been updated to take account of the NPPF and recently adopted London Plan. The key points in relation to this aspect of the scheme are as follows:

- It is agreed that the new access from Petersham Road will reduce the number of visitors accessing the building from the car park, which would make the site safer. Furthermore, it is agreed that there is no requirement to provide a ramp as part of the new access as disabled users are able to access the site via the existing car park;
- 33 car parking spaces are proposed to be provided on site, including one disabled space. This compares to the 36 on site currently. 6 cycle parking spaces are to be provided;
- Cycle and refuse storage locations are shown on the plans;
- No parking permits of any description will be requested by users of the site if planning permission is granted;
- A Transport Statement and draft Construction Traffic Management Plan have been submitted as part of the application. Full details of the transport elements of the scheme are set out in these documents.

Issue (vi) – Trees, Ecology and other issues

6.41 A Preliminary Ecological Appraisal and Tree Constraints Plan has been prepared by Acer Ecology which has been submitted as part of this application (dated May

2021). It discusses trees to be removed, how trees are to be protected and other arboricultural issues. The Appraisal also discusses species that may be affected by the proposals and presents required actions which the applicant has taken note of. It is envisaged that any surveys etc. required as part of these actions can be completed after being conditioned by the LPA in the event that planning permission is granted.

- 6.42 An Arboricultural Impact Assessment, Arboricultural Method Statement, Planting Plan and Foundation Design Plan have been prepared by Crown Tree Consultancy and are submitted as part of this application. These reports demonstrate compliance with London Plan Policy G7 sub-paragraphs A, B and C and Local Plan Policy LP16.

Energy and Sustainability

- 6.43 With regard to energy and sustainability, the accompanying Energy Assessment prepared by Climate Integrated Solutions demonstrates compliance with London Plan Policy SI2.

Fire Safety

- 6.44 Lawrence Webster Forrest Ltd have prepared a Fire Safety Strategy to comply with Policy D12 of the London Plan 2021.

Amenity

- 6.43 Regarding amenity, given the location of the host site in the area without any private residential amenities adjacent to the site, the proposal would have no adverse impact on any neighbouring occupiers in terms of loss of daylight/sunlight, loss of privacy, overbearing or visual intrusion. This assessment is supported by the Council's pre-application advice.

Affordable Housing Contribution

- 6.44 The Council's pre-application advice suggests that the proposal would be subject to an Affordable Housing Contribution due to the fact that it includes "*one new self-contained residential unit (the Manager's Flat)*". The flat is not and would not be a C3 Residential unit, given that it serves a function that is ancillary to the A4 use. The fact that the only new floorspace proposed is for functions ancillary to the A4 use also means that a borough CIL contribution is not required. A CIL Calculation Form has been submitted as part of the application.

7.0 CONCLUSION

7.1 As detailed within this planning statement, the proposals that are the subject of this planning application submission fully comply with all relevant adopted development plan policies and all other material planning considerations. Consequently, planning permission should be granted for these proposals without delay, subject to the imposition of appropriate conditions.

7.2 In this statement I have demonstrated that the proposal complies with relevant development plan policy. Section 38(6) of the Planning and Compulsory Purchase Act and paragraph 11 of the NPPF advise that planning permission should be granted for proposals which comply with the development plan.

APPENDIX 1

PRE-APPLICATION ADVICE DATED 12TH JANUARY 2017 (UNDER SEPARATE COVER)