

Application reference: 21/2971/LBC SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
20.08.2021	08.09.2021	03.11.2021	03.11.2021 EOT Agreed 22.04.2022

Site:

19 - 19A King Street, Richmond, ,

Proposal:

Change of use from retail (Use Class E) on first and second floors at no 19 to create a new, three bed maisonette First Floor rear/side extension, PV panels to the exiting roof, internal alterations.

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

APPLICANT NAME

-
7 Altham Road
Pinner
HA5 4RQ

AGENT NAME

Ms Lucy Arrowsmith
4 Eel Pie Island
Twickenham
TW1 3DY
United Kingdom

DC Site Notice: printed on 09.09.2021 and posted on 17.09.2021 and due to expire on 08.10.2021

Consultations:**Internal/External:**

Consultee
21D Urban D

Expiry Date
30.09.2021

Neighbours:

17 King Street, Richmond, TW9 1ND -

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

Status: WDN
Date: 19/02/2021

Application: 20/3594/FUL
No. 19 - Change of use from retail (Use Class E) on first and second floors to create 1 x three bed maisonette; No. 19A - Replacement shopfront, part change of use of ground floor, change of use of upper floors and extension of roof space (Use Class E) to create 1 x 1 bed flat; addition of facilities to no.19a retail unit.

Development Management

Status: WDN
Date: 19/02/2021

Application: 20/3595/LBC
No. 19 - Change of use from retail (Use Class E) on first and second floors to create 1 x three bed maisonette; No. 19A - Replacement shopfront, part change of use of ground floor, change of use of upper floors and extension of roof space (Use Class E) to create 1 x 1 bed flat; addition of facilities to no.19a retail unit.

Development Management

Status: PCO
Date:

Application: 21/2970/FUL
Change of use from retail (Use Class E) on first and second floors at no 19 to create a new, three bed maisonette; First floor side/rear extension and PV

panels to existing roof of No.19; change of use and extension of roof space (Use Class E) at no. 19a, including rooflights, raising the roof eaves/ridge and a dormer extension to create a new Studio flat; New shop frontage, including separate residential access to No.19a.

Development Management

Status: PCO

Date:

Application:21/2971/LBC

Change of use from retail (Use Class E) on first and second floors at no 19 to create a new, three bed maisonette First Floor rear/side extension, PV panels to the exiting roof, internal alterations.

Development Management

Status: GTD

Date:23/09/1996

Application:96/2477/FUL

New Shopfront

Development Management

Status: GTD

Date:23/04/1985

Application:85/0401/ADV

Display of internally illuminated projecting box sign.

Development Management

Status: GTD

Date:11/06/1968

Application:68/0749

Installation of shop front.

Development Management

Status: GTD

Date:02/07/1968

Application:68/0750/ADV

For Advertisements.

Development Management

Status: GTD

Date:25/03/1975

Application:75/0050/ADV

For Advertisements.

Development Management

Status: GTD

Date:25/06/1975

Application:75/0516/ADV

For Advertisements.

Development Management

Status: GTD

Date:07/11/2006

Application:06/2593/ADV

Install fascia sign 5780 x 775 and projecting sign 700 x 700 both with internal lighting.

Development Management

Status: PCO

Date:

Application:21/2970/FUL

Change of use from retail (Use Class E) on first and second floors at no 19 to create a new, three bed maisonette; First floor side/rear extension and PV panels to existing roof of No.19; change of use and extension of roof space (Use Class E) at no. 19a, including rooflights, raising the roof eaves/ridge and a dormer extension to create a new Studio flat; New shop frontage, including separate residential access to No.19a.

Development Management

Status: PCO

Date:

Application:21/2971/LBC

Change of use from retail (Use Class E) on first and second floors at no 19 to create a new, three bed maisonette First Floor rear/side extension, PV panels to the exiting roof, internal alterations.

Building Control

Deposit Date: 06.09.2004

Reference: 04/1817/IN

Shop fitting and internal alterations

Application Number	21/2790/FUL
Address	19 - 19A King Street Richmond
Proposal	Change of use from retail (Use Class E) on first and second floors at no 19 to create a new, three bed, five person maisonette; change of use and extension of roof space (Use Class E) at no. 19a to create a new 1bed, 1 person flat; addition of facilities to no.19a retail unit.
Contact Officer	Jack Davies
Legal Agreement	Yes

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 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, 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

The proposal site comprises No.19 and No.19a which are located on the northern side of King Street.

No 19 is a Grade II Listed Building and No.19a designated as a Building of Townscape Merit (BTM). Both properties are located within the Richmond Green Conservation Area, is designated within the Richmond Town Centre and is within a Key Shop Frontage.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The application proposes Change of use from retail (Use Class E) on first and second floors at no 19 to create a new, three bed, five person maisonette; change of use and extension of roof space (Use Class E) at no. 19a to create a new 1bed, 1 person flat; addition of facilities to no.19a retail unit.

The planning history at the site is outlined above. The most relevant to the current application is:

20/3594/FUL & 20/3595/LBC - No. 19 - Change of use from retail (Use Class E) on first and second floors to create 1 x three bed maisonette;

No. 19A - Replacement shopfront, part change of use of ground floor, change of use of upper floors and extension of roof space (Use Class E) to create 1 x 1 bed flat; addition of facilities to no.19a retail unit.

Withdrawn

4. CONSULTATIONS CARRIED OUT

The list of neighbours notified of this application are listed above.

4 x Objections were received which raised the following concerns:

- Overlooking / Loss of Privacy
- Loss of light
- Parking issues
- Impact on Listed Building
- Overdevelopment
- Floor to ceiling height inadequate to studio
- Proposed shopfront harmful to locality
- Loss of retail floorspace
- Inappropriate use
- Impact on BTM
- Impact on Conservation Area

- Inaccurate Drawings
- Materials inappropriate
- Lack of consideration of construction method
- Noise

The scheme was amended to rectify inconsistencies between drawings and also to alter the proposed materials. The DoD was also altered as the original description did not completely capture all the proposed works. Neighbours were reconsulted and subsequently 1 x further objection was received which objected on grounds of overlooking.

The concerns raised above are addressed in the report below.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2021)

The key chapters applying to the site are:

- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 12. Achieving well-designed places
- 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/1005759/NPPF_July_2021.pdf

London Plan (2021)

The main policies applying to the site are:

- Policy D1 – London’s form, character and capacity for growth
- Policy D3 – Optimising site capacity through design led approach
- Policy D4 – Delivering good design
- Policy D6 – Housing quality and standards
- Policy D12 – Fire Safety
- Policy H4 – Delivering affordable housing
- Policy HC1 – Heritage conservation and growth
- Policy SI2 – minimising greenhouse gas emissions
- Policy SI8 – Waste capacity
- Policy SI13 – Sustainable Drainage
- Policy T4 – Assessing and Mitigating transport impacts
- Policy T5 – Cycling
- Policy T6 – Car Parking
- Policy T7 – Deliveries, servicing and construction

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/london-plan-2021>

Richmond Local Plan (2018)

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	Yes	
Impact on Heritage Designations	LP3, LP4	Yes	
Impact on Amenity and Living Conditions	LP8	Yes	
Sustainable Design and Construction	LP20, LP22, LP23	Yes	
Waste Management	LP24	Yes	
Impact on Retail Frontages	LP26	Yes	
New Housing, Mix, Standard	LP34, LP35	Yes	
Affordable Housing	LP36	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
Design Quality
House Extension and External Alterations
Transport
Refuse and Recycling Storage Requirements
Residential Development Standards
Small and Medium Housing Sites
Sustainable Construction Checklist
Shopfronts
Village Plan – Richmond and Richmond Hill
Conservation Areas
Listed Buildings

These policies can be found at:

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

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.

Determining applications affecting a Listed Building

Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant listed building consent for any works, or whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm.

To give effect to this duty decisions of the court have confirmed that a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. However, this does not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting planning permission where harm to a listed building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Principle of Use
- ii Design and impact on local character
- iii Impact on neighbour amenity
- iv Residential standards

- v Affordable housing
- vi Sustainability
- vii Transport
- viii Fire Safety

Issue i –Principle of Use

In Accordance with the London Plan 2021, Richmond's 10 year Housing targets for (2019/20 -2028/29) is 4,110.

Local Plan Policy LP35A states that Development should generally provide family sized accommodation, except within the five main centres and Areas of Mixed Use where a higher proportion of small units would be appropriate. The housing mix should be appropriate to the site-specifics of the location.

The London Plan 2021 Policy H2 'Small Sites' states that:

A Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:

- 1) significantly increase the contribution of small sites to meeting London's housing needs*
- 2) diversify the sources, locations, type and mix of housing supply*
- 3) support small and medium-sized housebuilders*
- 4) support those wishing to bring forward custom, self-build and community led housing*
- 5) achieve the minimum targets for small sites set out in Table 4.2 as a component of the overall housing targets set out in Table 4.1.*

B Boroughs should:

- 1) recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites*
- 2) where appropriate, prepare site-specific briefs, masterplans and housing design codes for small sites*
- 3) identify and allocate appropriate small sites for residential development*
- 4) list these small sites on their brownfield registers*
- 5) grant permission in principle on specific sites or prepare local development orders.*

The proposals are for 1 x 3 bed unit and 1 x 1 bed unit. The 1 bed is a small unit which is appropriate in town centre locations. The 3 bed is acceptable given the constraints of converting the listed building.

The benefits arising from the contribution of additional residential units would be generally in accordance with Policy LP34 and London Plan policy H2 which proactively supports new homes on small sites. The supporting text to that policy states that "For London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, increasing the rate of housing delivery from small sites is a strategic priority. Achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and planmaking".

The text continues to note that "Incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2. This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision. These developments should generally be supported where they provide well-designed additional housing to meet London's needs." The site is within an area supported for incremental intensification and the net addition to the housing stock must be attributed weight as a benefit of the scheme.

Local Plan Policy LP 26A 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 in Class E without the need for planning permission.

The scheme is located within a KSF and as above, the loss of retail floorspace in this location will be resisted. The scheme proposes that part of the existing retail unit is lost on the upper floors of both premises. Paragraph 7.2.8 is particularly relevant in this instance, 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."

In this case, the proposal results in the partial loss of existing ancillary retail floorspace on upper floors. The Officer Planning Report – Application 20/3754/FUL Page 6 Of 12

proposal retains 112 sqm of retail floor space at ground floor of No.19 and 37 sqm of ground floor space at No.19a. The area lost at ground floor is minimal over both sites, and is for the purpose of residential access. It is considered that the remaining retail space at both sites is a size large enough to accommodate a retailer/business falling within Use Class E. Given such it is considered that Local plan Policy LP26 is satisfied.

Issue ii- Design and impact on Local Character and Heritage Assets

The NPPF (National Planning Policy Framework) advises good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people. Local Plan Policy LP1 states that the Council will require all development to be of high architectural and urban design quality. The high-quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area.

The NPPF states that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset the greater the presumption in favour of its conservation should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

Local Plan Policy LP3 states that 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.

Local Plan Policy LP4 states The Council will seek to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit, memorials, particularly war memorials, and other local historic features.

No.19 is a Grade II listed building which clearly survives as part of the early core of Richmond town centre and has remained largely intact as a stand-alone building on three elevations. The fourth elevation directly adjoins smaller buildings on Paved Court which originally formed the mews to Old Palace Terrace facing the Green. Both internally and externally the building still retains a number of historic features, including some panelling, fireplaces, 18th century staircase, doors, floors and ceiling mouldings. Some panelling and a fireplace survive on the ground floor, which were hidden behind the bookcases of the previous shop.

The building would originally have been a house, likely of 18th century origins, with a later 19th century frontage alteration to include a shopfront (since replaced in the 20th century) and new brickwork. Some evidence still remains of it being a butcher's premises (Wright's) at one point in its history towards the end of the 19th century. However, residential use remained on the floors above, as was the case for other buildings of a similar age in the immediate area. There is some evidence of the butcher's store in the basement which still retains a basement window and lightwell facing Paved Court.

No.19a is a BTM and may originally have been an ancillary building to no.19, and part of the butcher's premises referred to above. It has since had a shopfront added c1970s, where there was once a single opening to what appeared to be a workshop or store. According to archival images provided by the heritage adviser, it appears to have been of brick construction with a horizontally weather-boarded front-facing gable and tiled roof in 1893. The 1960s photo shows painted brick and a small gable opening, whilst the 1970s photo shows what appears to be the current arrangement of shopfront and boarded gable and tile roof.

The building forms part of the historic fabric of the area and its current appearance contributes to the overall character of the street within the CA; the side elevation is also visible when viewed from the Green end of King Street.

Interior proposals to no.19

The proposal seeks to reinstate the upper floor to its historical residential use. In order to facilitate such, certain internal alterations are proposed, including a new access from the first floor of No.19a as well as a partition wall to the stair at ground floor, delineating the residential and retail uses.

It is important that any works which take place to separate the use of the ground from upper floors can be easily reversed if required in the future. All historic features will therefore need to remain, including the staircase and panelling between the ground and first floors. The partition at the bottom of the staircase on the ground floor has been positioned away from the stair to provide more landing space. This detail is Officer Planning Report – Application 20/3754/FUL Page 7 of 12

considered acceptable, and whilst the historic plan form of the building will be altered, the reversibility of the internal alteration is recognised as is that the proposal allows for the historic use of the upper floors to be reinstated.

The cycle parking provision is met through bike racks located on a platform which is inserted over the stairs to the ground floor. There is no objection to this solution provided the platform can be designed in such a way as to be free standing and easily removable in order to have as little impact on the historic fabric as possible and to be easily accessible for maintenance of the stairs etc. This accessibility has not been shown on the detailed drawing so further clarification by condition is required

The new opening to link the exterior extensions to the upper floors is noted and there is no objections subject to further design detail.

There appear to be other minor alterations proposed to the interior of No.19 which further details are required and can be conditioned.

Exterior proposals

The external proposals include enlargement of the roof of No.19a, including raising the ridge, a side dormer and rooflight; new rear and front facing windows to No.19a, alterations to the existing shopfront of No.19a to facilitate separate residential access, a new first floor side/rear extension to No.19; PV panels to the roof of No.19;

The proposal seeks to provide a link between the Nos 19 and 19a by way of an extension in a position to the side/rear of Nos.19 and 19A. This location appears to have previously benefited from a structure attached to No.19 and which is now a plain cement render and blank face. The new extension will be set at first floor level and is positioned well below the eaves of the existing roof of No.19 therefore appearing subservient to the host Listed Building. The extension will be mostly screened by the existing building from views on the street and given there appeared to previously be an extension in this location it is not considered that the proposal would be particular harmful to the setting of the integrity of the Listed Building, nor would it change the setting of the Listed Building to the detriment of its special character.

The proposed PV panels to the roof of No.19 appears to be screened from views given the existence of lead flashing around the crown roof and that the PV panels we be laid flat. Further details will be sought via condition.

The eaves and ridge of the roof to No.19A will be raised slightly in order to accommodate the residential unit. A small dormer like structure is also proposed towards the rear on the side roofslope to facilitate access to No.19. Given the minimal increase in height and that the existing design of the host BTM is appreciated in the proposals, the impact of these works on the BTM will be limited in this particular setting, and the character of the building will be maintained. The proposed rooflights are modestly proportioned and appear to be conservation style. The proposed front and rear facing windows are understood to be timber painted. This is acceptable, however further detail will be conditioned.

It is noted that the roof should remain clay pantile rather than be changed to slate and the brickwork used should match existing, which will likely be a mixed stock. Details of material will be conditioned.

New shopfront to No.19a is considered to be acceptable subject to further detail regarding materials and detailed drawings. The design will retain important features such as pilasters and a stallriser and is considered to still maintain a shop like appearance, whilst facilitating access to the upper floor residential units.

The scheme is considered to satisfy Local Plan Policy LP1, LP3 and LP4.

Issue iii- Impact on Neighbour Amenity

Local Plan Policy LP 8 states that All development will be required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties.

No.19a extends along the rear boundary of No.1 Old Palace Terrace. The proposed alterations to No.19a will modestly increase the eaves height and ridge height of the existing structure, as the eaves and the ridge is raised by approximately 30cm at the eaves and 50cm at the ridge. It is important to note that the proposal does not seek to extend the existing structure any further to the rear of the site, nor is it proposed to be wider. In consideration of this, the additional 30cm of height (closest wall to No.1) is not considered to result in amenity impact which does not already exist and no demonstrable harm arises in regards to appearing overbearing or resulting in sunlight/daylight loss to the habitable room windows or amenity space of the Officer Planning Report – Application 20/3754/FUL Page 8 of 12

adjacent neighbour.

The proposed extension to the first floor side and rear elevation of No.19 will infill a gap where it appears that an extension has historically existed. The extension would result in a longer rear wall to No.19, which is noted would be visible from the first floor window of Nos 15-17 Paved Court Road. Nos 15-17 benefits from a planning permission for change of use to residential on the first and second floors, (17/2656/FUL), although it is not clear whether this has been implemented as there remains undischarged conditions. Notwithstanding such, the approved first floor layout of 15-17 Paved Court Road is dual aspect, and the window to the rear of the site benefits a stairwell (see image below). Given such, it is not considered that the proposal would appear overbearing to this residential unit and nor would it result on loss of sunlight to habitable room which would warrant a reason for refusal. The roof extension to No.19a is not considered to appear overbearing nor result in loss of sunlight to any nearby dwelling as it is screened by the existing and proposed structures.

Similarly the very modest increase in height is not considered to cause demonstrable harm to the habitable rooms or amenity area of no. 2 Old Palace Terrace.

No.19a will benefit from 1 x front facing window. It is noted that the street is quite narrow and there are other front facing windows on the properties on the adjacent side which benefit residential properties. As such, there is a degree of mutual overlooking which exists in the locality and it is not considered that any of the street facing windows would result in opportunities to overlook which would warrant a reason for refusal.

No.19a also proposes skylights, for light, however as they are skywards facing and the section drawing illustrates that they are at a significantly elevated height above floor level they will not result in materially harmful overlooking. Whilst oblique upwards views may be afforded to the upper floors of 1 Old Palace Terrace these views will be at a very constrained angle and the windows affected are in any case visible from the public domain in King Street. A reason for refusal would not be sustainable on this basis.

There are 2 x rear facing windows proposed. 1 x window is a small, high level window benefiting a bathroom and the other benefits a bedroom. The bathroom window will be obscure glazed and the bedroom window has only oblique views of the gardens along Old Palace Terrace given the natural screening provided by the building line. The views afforded from this window will be constrained to the rear parts of garden over which there is an existing degree of mutual overlooking. It is noted that No.15-17 Paved Court Road benefits from residential use on the upper floor. According to the planning permission, granted in 2017, the windows are located adjacent to the staircase. Given this, and that the proposed rear facing window to No.19a is not directly facing this building, and the degree of mutual overlooking from existing windows, it is not considered that opportunities to overlook which cause demonstrable harm will arise.

An objection was received in regards to noise. It is not considered that a residential use would result in noise that could not be expected in a mixed use area and which would warrant a reason for refusal.

Given the above it is not considered that residential amenity would be compromised as a result of this scheme, therefore satisfying Local Plan Policy LP8.

Issue iv – Residential Standards

Local Plan Policy LP35 states that: *All new housing development, including conversions, are required to comply with the Nationally Described Space Standard.*

Policy LP 35 (B) requires new housing to comply with the nationally described space standard (NDSS) - which sets a minimum gross internal floor area of 37sqm for a studio dwelling for single occupancy, and 93sqm for a 3 bed, 2 storey dwelling for 5ppl. The proposed flat sizes are approximately 37sqm and 104.5qsm respectively, which complies.

Further to the above, the units appear to have adequate access to sunlight and there is adequate circulation. It is noted there is no private open space however it is recognised that this is not always possible, particularly in areas of mixed use and residential development above commercial shops.

It is noted that the floor to ceiling height for No.19a is proposed at 2300m for 80% of the internal floor space. The London plan requires that 2500m is provided for 75% of the internal floor area. In assessment of this shortfall, the heritage constraints of the site are recognised, as well as the potential benefits of a new dwelling in a town centre location. Any shortfall must be considered on balance. As outlined above, it is considered that the property provides an adequate level of amenity for future occupants in regards to light and outlook. The property also meets the internal space standards as prescribed by the '*Nationally Described Space Standards*'. Particularly in consideration of heritage constraints and the benefits of the new dwelling in a town centre location, it is considered in this circumstance that the harm resulting in the shortfall to the London Plan floor to ceiling height standard is balanced by other benefits of the scheme and

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compliance in other areas.

The floor to ceiling heights at No.19 will remain as existing. It appears from the submitted section that the existing first floor to ceiling height is 2.9m, and ranges between 2.15 and 2.25m at second floor level. Although this is likewise contrary to London Plan Policy, the Listed status of the building is recognized and the benefits of the scheme, including the reversion of the upper back to residential is a consideration. On balance, it is considered that the existing floor to ceiling height is acceptable in this instance.

The scheme is considered to satisfy local plan policy LP35.

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 contribution that would be sought would be discounted to represent 8% affordable housing, given the proposal creates two new units through conversion. A contribution of £57,704 has been secured via s106 agreement and this is considered to satisfy Local Plan Policy LP36.

Issue vi – Sustainability

Policy LP20 on Climate Change Adaptation states that new development should minimise energy consumption and minimise the impact of overheating.

Policy LP22 covering Sustainable Design and Construction states that Proposals for change of use to residential will be required to meet BREEAM Domestic Refurbishment 'Excellent' standard (where feasible).

The Applicant has submitted a BREEAM pre-assessment, which states the scheme can achieve a rating of 'Excellent'. This is considered to satisfy the requirements of Local Plan Policy LP22.

Issue vii – Transport and Servicing

The property is situated in a PTAL zone with a score of 6a. The applicant proposes a car free scheme and a s106 agreement has been agreed which precludes future occupants from obtaining parking permits. This is considered to be acceptable.

Refuse storage is shown on the plans to be located within the existing dwellings and there is a space in the shared accessway for recycling storage. Waste is collected from the pavement and this arrangement will continue.

Cycle parking for the studio flat is located next to the existing stair. The cycle parking for the 3 bed flat is located within the flat at first floor level over the existing stair case. There are no objections to this subject to further detail being provided. Although the first floor level is not an ideal location for cycle storage it is noted the property is constrained by heritage designations as well as being in a key shopping frontage. The site is also very well connected by transport, and therefore the cycle parking allocation is considered acceptable in this instance.

A CMS will be conditioned to ensure there is no adverse impact on transport flows and parking in the locality during the construction period.

The scheme is considered to satisfy Local Plan Policy LP45.

Issue viii – Fire Safety

Policy D12 – Fire Safety 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 supporting text explicitly asks applicants to :

- a. demonstrate on a site plan that space has been identified for the appropriate positioning of fire appliances. These spaces should be kept clear of obstructions and conflicting uses which could result in the space not being available for its intended use in the future.
- b. show on a site plan appropriate evacuation assembly points. These spaces should be positioned to ensure the safety of people using them in an evacuation situation.

The applicant has submitted a fire safety statement along with a site plan. These documents are considered to satisfy London Plan Policy D12.

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.

8. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application process.

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

I therefore recommend the following:

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

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

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


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

This application has representations on file YES NO

Case Officer (Initials):DAV..... Dated:14/04/22.....

I agree the recommendation:

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:20.04.2022.....