

Westminster House, Kew Road, Richmond,  
TW9 2ND

Planning and Heritage Statement

**LPA Ref:** PP-12551189

**Firstplan Ref:** 22208/TW/AL/CWan

**Date:** January 2024

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# Appendices

**Appendix 1**    **Decision Notice (reference. 19/0527/FUL)**

**Appendix 2**    **Decision Notice (reference. 22/2962/FUL)**

# Section 1 Introduction

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- 1.1 This Planning and Heritage Statement has been prepared by Firstplan Ltd, on behalf of our client, Baden Prop Ltd, in support of a full planning application in respect to Westminster House, TW9 2ND. The proposed description of development is as follows:

**‘Creation of two additional levels including Class C3 accommodation comprising 7no.units and Class E accommodation for internal access to a communal terrace, conversion and excavation of the existing Class E basement and part conversion of existing floorspace at basement, ground, first, second, and third floor levels to provide internal access and ancillary residential floorspace with external alterations and associated development.’**

- 1.2 This development proposals follow on from a number of planning permissions and pre-app enquiries that have established the principle of Class E gym use at basement level and the creation of two levels of residential accommodation at roof level over recent years.
- 1.3 Most recently, this includes a pre-app (LPA Ref: 23/P0133/PREAPP) which relates to the current scheme. The advice received confirms that the Council consider the proposals acceptable in principle and are in conformity with the National Planning Policy Framework (‘NPPF’, September 2023) and Richmond’s Local Development Plan.
- 1.4 In addition, planning permission (ref. 22/2962/FUL) to facilitate the occupation of a gym operator at basement level, together with creation of a shopfront, access and external alterations remains extant (hereafter the ‘2022 scheme’). Pre-application request (pre-app ref. TP/DM/20/P0195/PREAPP) was provided in September 2020 in respect to the creation of an additional storey at roof level to create a four bedroom dwelling (hereafter the ‘2020 pre-app scheme’). A larger unimplemented permission granted in May 2019 (ref. DC/LUS/19/0527/FUL) allowed for the erection of two additional storeys for new office space at roof level, a gym in the basement and associated external refurbishments (hereafter the ‘2019 scheme’).
- 1.5 The current scheme will provide much-needed one and two bed homes, together with external improvements to the existing building and new commercial facilities in the form of a gym, that will refresh the tired appearance of this important Gateway building, to the benefit of Richmond town centre, the character and appearance of the Central Richmond Conservation Area and the setting of

the locally listed station building. There is recognition in the Council's most recent Local Housing Needs Assessment (2023) that there has been a decrease in the number of one and two bedroom dwellings in the borough, which contributes to affordability issues, especially for First Time Buyers. This proposal will make a valuable contribution towards addressing this shortfall in smaller dwellings.

- 1.6 The development proposals incorporate many of the features contained within earlier schemes at the site which officers have supported, though relatively minor changes have been incorporated to better meet the needs of new occupiers and adhere to the latest design standards. One such example is the introduction of a communal office terrace at fourth floor, which will enhance the existing office accommodation on site. As the office space is currently vacant, it is anticipated that the new terrace will enhance the marketability of the floorspace for future prospective tenants.
- 1.7 Following the grant of the 2019 scheme, in September 2020, the Government introduced legislation relating to use classes under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. The amended Use Classes Order introduced a new single Use Class E, "Commercial, Business and Service" which, amongst other uses, includes offices (and as such ancillary office areas) as well as gyms. Moving between these uses does not constitute a change of use in planning terms. As such, planning permission is not required to move between the existing office use and the proposed gym use at basement level. It is relevant to highlight that this main town centre use was supported by officers in the grant of the 2022 and 2019 schemes.
- 1.8 The current proposal is therefore considered to be a sustainable form of development that is in compliance with the policy and guidance contained within the National Planning Policy Framework (2023), National Planning Practice Guidance, London Plan (2021) and London Borough of Richmond Upon Thames Local Plan (2018).
- 1.9 The acceptability of the proposed development is demonstrated within the following sections:
- **Section 2** - sets out the relevant background information, comprising a site description, details of the relevant planning history and pre-application advice;
  - **Section 3** - provides a description of the application proposal;
  - **Section 4** - sets out the relevant planning policy issues;
  - **Section 5** - provides an assessment of key planning considerations against relevant planning policy;
  - **Section 6** - provides an assessment of key heritage considerations against relevant heritage policy; and

- **Section 7** - draws conclusions.

## Section 2 Background Information

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### **a) Site and Surrounding Area**

- 2.1 Westminster House is a four-storey over basement mixed-use building, comprising commercial units at ground floor and office accommodation at first, second and third floor levels. The building occupies a prominent position on Kew Road directly adjacent to Richmond Railway Station (a Building of Townscape Merit), which sits immediately south of the site. The station car park sits to the rear of the building to the east.
- 2.2 The site is within Richmond Town Centre and the ground floor units are part of an identified Secondary Shopping Frontage. The site is also located within the Central Richmond Conservation Area. As mentioned in the previous section, the site falls within Site Allocation SA19: Richmond Station.
- 2.3 The site benefits from a PTAL 6b rating which highlights its 'excellent' accessibility to public transport.
- 2.4 The surrounding area has a mix of commercial and retail buildings of varying age, height and materiality. These range from two and a half storeys to five storeys, of both modern and traditional styles.

### **b) Relevant Planning History**

- 2.5 The site has a somewhat complicated planning history with a number of planning applications having been submitted at the site in recent years. The following applications are of particular relevance to the proposals.
- 2.6 Planning permission (ref: 15/5230/FUL) was granted on 3 February 2016 for a part one/part two storey roof extension providing 578 square metres of additional Class B1 office floorspace, external terraces and associated works. This permission lapsed in February 2019.
- 2.7 Following the grant of permission, a more comprehensive redevelopment of the building was sought. Permission was subsequently granted on the 16 May 2019 (ref. 19/0527/FUL) for:

**“Creation of two additional levels of Class B1 office accommodation (482 sq m), conversion of the existing basement into Class D2 gym use (288.5 sq m) together with green walls and associated external refurbishments.”**

2.8 Officers noted that there were many positive aspects to the redevelopment of the building and it was considered that the additional two storeys and the principle of a gym use were acceptable. Indeed, the officers report that accompanied the decision stated that:

**“The proposed development would preserve the character and appearance of the host site and surrounding area and would have no adverse impact on the amenities of neighbouring occupiers in terms of loss of daylight/sunlight, loss of privacy, overbearing, visual intrusion and noise/disturbance, no impact on parking provision and pedestrian safety, no environmental impact.”**

2.9 A copy of the decision notice is enclosed as **Appendix 1**.

2.10 Due to changing market conditions that arose during the Covid pandemic and the rise in home working, a request for pre-application advice was submitted in 2020 (pre-app ref. TP/DM/20/P0195/PREAPP) in respect to the following residential scheme:

**“Creation of additional storey for 4no. bedroom family home, basement excavation, green walls and associated external refurbishments and development.”**

2.11 The proposals were well received by Officers and the response was positive. Officers confirmed that the principle of a residential extension was acceptable. However, it was considered that the site lent itself to the provision of a higher number of smaller residential units, rather than a single four bed family sized unit, and that the provision of green walls should be reconsidered due to the potential for objection on fire safety grounds. The green wall aspect of the development was subsequently removed and the Council remained of the opinion that the design constituted an improvement to the building.

2.12 Following this, a separate planning application (ref. 22/2962/FUL) was submitted and approved on 20 December 2022 to allow the basement to come forward for occupation by a gym operator:

**“Creation of a shopfront and access, elevational alterations, installation of louvres and associated works at basement and ground floor levels.”**



- 2.13 A copy of the decision notice is enclosed as **Appendix 2**. This permission has not been implemented but the principle of a gym use was accepted, including the access arrangements.
- 2.14 For the purposes of this planning submission, there is no other planning history of immediate relevance.

**c) Pre-application Discussions / Advice (LPA Ref: 23/P0133/PREAPP)**

- 2.15 Pre-application discussions have been held with the Council, to ensure the suitability of the proposals prior to the submission of the planning application.
- 2.16 A pre-application meeting was held with the Council on 11 August 2023, which was followed by the receipt of written advice on the same day. The meeting was held with Council Planning Officer Kerry McLaughlin, with written input provided by the Council's Conservation Officer.
- 2.17 The pre-application response received was positive. It was agreed that the proposals aligned with the proposed site allocation and the principle of development was supported. Particular comments were received on the design of the proposals particular given the sites location within a conservation area and adjacent to Richmond Station (which is a non-designated heritage asset Building of Townscape Merit (BTM)), minimising the loss of office floorspace, the unit mix, protecting amenity, sustainability, improving the residential accommodation on site and providing adequate refuse storage, all of which have been suitably addressed. There was also agreement on the level of information that was to be submitted for the planning application.

## Section 3 Description of Proposals

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3.1 The development proposal comprises the creation of two additional levels including Class C3 accommodation comprising 7no.units and Class E accommodation for internal access to a communal terrace, conversion and excavation of the existing Class E basement and part conversion of existing floorspace at basement, ground, first, second, and third floor levels to provide internal access and ancillary residential floorspace with external alterations and associated development. The retail fascia will be unified across the façade. Any signage requirements will be obtained via separate advertisement consent.

### a) Residential Units

3.2 The proposals will comprise seven residential units in duplex configuration, all of which have dedicated amenity space, as follows. The terraces are spacious and private and the units will be dual aspect:

Unit	Type	Floorspace (sq. m)	Amenity Space (sq. m)
Apartment 1	1 Bed 2 Person Duplex	72.6	19.1
Apartment 2	2 Bed 4 Person Duplex	80.2	7.7
Apartment 3	2 Bed 4 Person Duplex	81.9	7.7
Apartment 4	2 Bed 4 Person Duplex	81.7	7.7
Apartment 5	2 Bed 4 Person Duplex	90.4	11.4
Apartment 6	1 Bed 2 Person Duplex	66.9	19.1
Apartment 7	1 Bed 1 Person Duplex	40.0	8.7

### b) Gym

3.3 The main gym floor will have a floorspace of 259.7 sq.m in the basement. 6.8 sq.m will be devoted to the entrance area on the ground floor.

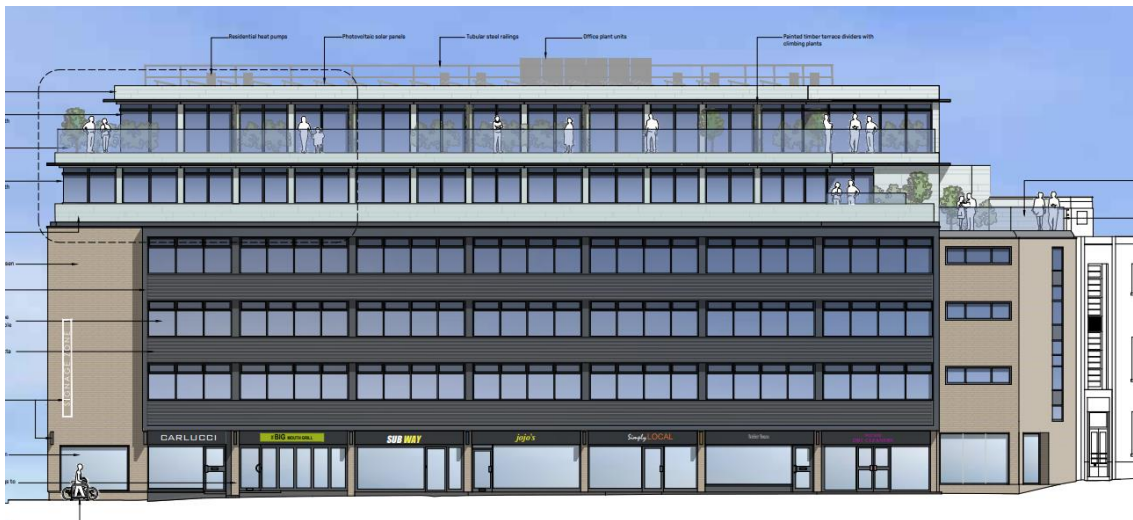
### c) Communal Office Terrace

3.4 The communal office terrace will be located on the fourth floor and will have an overall footprint of 26.2 sq.m. This will be directly accessible from the existing office use and has been provided to enhance the existing office accommodation on site.

### d) Roof Extension Design

3.5 The proposed fourth and fifth residential floors will be stepped back from the main elevations to reduce massing. The design will ensure that the additional storeys will be visually coherent, unobtrusive and fit seamlessly with the host building and wider conservation area.

3.6 In terms of massing, the proposed floorplate has been carefully designed to respond to the positive comments that officers provided as part of the 2022 and 2019 permissions, the 2020 pre-application submission and the latest pre-application response received (LPA Ref: 23/P0133/PREAPP). A CGI image of the front elevation is provided below at Figure 1.



**Figure 1:** Proposed front elevation (Source: CGL, 2023)

3.7 The solid elements of the new extensions will be finished in silver-blue anodized aluminium with extensive glazing.

### e) Improvements to external appearance of the building and access

3.8 The proposal includes the introduction of brick cladding, which will wrap around the northern and southern ends of the building. The materiality of the walls will add visual interest to improve the overall appearance of Westminster House. The proposed northern elevation is shown at Figure 2, below.



**Figure 2:** Proposed side (north-eastern) elevation (Source: CGL, 2023)

3.9 The comprehensive external alterations to the building will provide a more uniform and consistent approach to the property’s frontage including, notably the installation of terracotta cladding on the lower floors bringing together the new and existing elements.

3.10 A new dedicated shopfront entrance to the gym at ground floor level is proposed at the north-eastern end of the Kew Road facade. The entrance will comprise large shopfront-style windows on the west and north elevations to create an active wrap-around frontage. This will replace the existing sterile elevation, in much the same way as previously approved schemes. A further access to the gym will be provided to the rear of the building together with an upgraded servicing entrance. This will provide customer level access, cycle access and refuse access via a roller shutter.

3.11 PV panels will be provided at roof level, along with a green roof.

#### **f) Parking & refuse**

3.12 The development is proposed to be car free to match the previously approved applications. For the residential use, twelve long stay cycle spaces will be provided in the basement, comprising Sheffield

stands and vertical stands. Two short cycle stay spaces will be provided on the street, in the form of a Sheffield stand. For the gym, five cycle spaces will be provided in the form of Sheffield stands and a vertical stand.

3.13 Bin storage will also be provided on the ground and basement floors.

3.14 Further details of the proposed development are set out in the accompanying Design and Access Statement and submitted plans prepared by Child Graddon Lewis Architects.

## Section 4 Planning Policy Overview

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4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCA 2004) states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. This section sets out the key planning issues affecting the planning application proposal in the light of the relevant planning policies for developments within the London Borough of Richmond Upon Thames.

4.2 The Development Plan relevant to the site comprises:

- LB Richmond Upon Thames Local Plan (initially adopted 3 July 2018)
- London Plan (2021)

4.3 The National Planning Policy Framework (NPPF) (2023) and National Online Planning Practice Guidance (NPPG) are also of relevance. The relevant planning policy considerations for the proposed development are summarised below.

4.4 Emerging policy comprises the draft Richmond Local Plan. At the present time, the draft Local Plan holds no weight in the determination of planning applications and, as such, its policies are not considered further.

### a) National Planning Policy

4.5 The NPPF (published 2023) clearly sets out the key objective that underpins the planning system is sustainable development. The importance of the planning system in contributing to sustainable development is set out at **Paragraph 10** which states that it must be pursued in a positive way.

4.6 In respect of decision making, guidance is clear at **Paragraph 11** that proposals in accordance with development plans should be approved and in other circumstances that development should only be refused where, *“adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework [NPPF] taken as a whole.”*

4.7 Importantly, the NPPF supports the development of windfall sites and acknowledges that small and medium sized sites make an important contribution to meeting the housing requirement of an area, recognising that such sites are often built out quickly.

4.8 Significantly in terms of the site, the NPPF promotes:

- the effective use of land in meeting the need for homes and other uses;
- making the most of brownfield sites (previously developed land); and
- opportunities to use airspace above existing residential and commercial premises for new homes.

4.9 Specifically, **paragraph 124(e)** states that planning policies and decisions should:

**‘support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.’**

4.10 **Paragraph 38** advises local planning authorities to take a positive and creative approach towards decision making, working proactively with applicants to secure developments which improve the economic, social and environmental conditions of the area.

4.11 **Paragraph 63** states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

4.12 **Paragraph 90** recognises the important role in which town centres play at the heart of local communities. Health and fitness uses are defined as ‘main town centre’ uses. The NPPF has a strong emphasis on supporting business growth and enhancing the vitality and viability of town centres through supporting appropriate uses within town centres.

4.13 **Paragraph 114** states that, in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

4.14 **Paragraph 131** states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- 4.15 **Chapter 12** relates to achieving well-designed places. **Paragraph 135** states that planning decisions should seek to optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development whilst remaining sympathetic to local character and history, the surrounding built environment.
- 4.16 **Paragraphs 165 – 175** require that developments be safe for its lifetime and not increase flood risk elsewhere.

**b) The London Plan (2021)**

- 4.17 The London Plan (published 2021) provides the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of the capital.
- 4.18 **Policy GG1** ‘Building Strong and Inclusive Communities’ states that good growth should promote the crucial role town centres have in the social, civic, cultural and economic lives of Londoners, and plan for places that provide important opportunities for building relationships during the daytime, evening and night time. Good growth is inclusive growth.
- 4.19 **Policy GG2** supports development on brownfield land and particularly prioritises developments which are located at sites well-connected by existing or planned public transport. To create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must enable the development of brownfield land and land within town centres to provide homes and workspaces. The sites should be well connected. It also seeks to promote the creation of new green infrastructure and urban greening, including aiming to secure net biodiversity gains where possible. It seeks to enable car-free lifestyles that allow an efficient use of land.
- 4.20 **Policy GG3** promotes the creation of a healthier city by promoting a more active and healthy lives for all Londoners and enable them to make healthy choices. It also seeks to plan for improved access to and quality of green spaces and the provision of new green infrastructure. Air quality must also be carefully considered.
- 4.21 **Policy GG4** ‘Delivering the homes Londoners need’ states that more homes need to be delivered, including affordable housing. The policy seeks to create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs.



- 4.22 **Policy GG5** 'Growing a good economy' seeks to conserve and enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners. The network of town centres should be supported. It also seeks to promote and support London's rich heritage and cultural assets. It seeks to make the fullest use of London's existing and future public transport, walking and cycling network and also to recognise and promote the benefits of a transition to a low carbon circular economy to strengthen London's economic success.
- 4.23 **Policy H1** relates to housing supply. This emphasises that in order to help achieve their housing targets, Boroughs should *"encourage development on other appropriate windfall sites not identified in Development Plans, especially from the sources of supply listed in Paragraph B2."* **Paragraph B2** goes onto state that boroughs should *"optimise the potential for housing delivery on all suitable and available brownfield sites through their development plans and planning decisions", especially on certain sites which it lists. Of relevance, this list includes 'sites with existing public transport access levels 3-6 or which are located within 800m of a tube station, rail station or town centre boundary (the application site has a PTAL rating of 6b (excellent) and lies within 800m of a station) and small housing sites."*
- 4.24 **Policy H2** expands on this policy, and gives a specific emphasis to the importance of small housing sites, stating that boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). The ten year housing target for net housing completions on small sites in Richmond is 2,340. Homes that are not on the ground floor on minor developments can comply with the M4(1) standard, which does not require step-free access, where provision of step-free access would be unfeasible. It also states that impacts on existing biodiversity or green space, as a result of minor housing developments, should be minimised and mitigated through measures such as returning hard standing to green space, the installation of green roofs and green walls, or the provision of landscaping that facilitates sustainable urban drainage in order to achieve the principle of no net loss of overall green cover.
- 4.25 **Policy H4** 'Delivering Affordable Housing' states that the strategic target is for 50 per cent of all new homes delivered across London to be genuinely affordable. Affordable housing should be provided on site. Affordable housing must only be provided off-site or as a cash in lieu contribution in exceptional circumstances.
- 4.26 **Policy H5** 'Threshold approach to applications' states that the threshold approach applies to major development proposals which trigger affordable housing requirements. The threshold level of affordable housing on gross residential development is initially set at a minimum of 35 per cent.

Where an application does not meet the requirements it must follow the Viability Tested Route. This requires detailed supporting viability evidence to be submitted in a standardised and accessible format as part of the application.

- 4.27 **Policy H6** 'Affordable housing tenure' provides the recommended split of affordable housing products and **Policy H7** 'Monitoring of affordable housing' states that boroughs are required to have clear monitoring processes to ensure that the affordable housing secured on or off site.
- 4.28 **Policy H10** 'Housing Size Mix' states that the housing mix applied should be locally determined. It is specified that it is more suitable to have a higher proportion of one and two bed units in town centres and they play an important role in meeting housing needs.
- 4.29 **Policy SD6** 'Town centres and high streets' states that the vitality and viability of London's varied town centres should be promoted and enhanced by a mix of uses including residential uses. The redevelopment, change of use and intensification of identified surplus office space to other uses including housing should be supported. **Policy SD7** 'Town centres: development principles and Development Plan Documents' states that when considering development proposals, boroughs should take a town centres first approach, discouraging out-of-centre development of main town centre uses. **Policy SD8** 'Town Centre Network' states that International, Metropolitan and Major town centres should be the focus for higher density employment, leisure and residential development in a high-quality environment. The vitality and viability of town centres should be protected and enhanced.
- 4.30 **Policy D2** 'Infrastructure requirements for sustainable densities' states that the density of development proposals should be proportionate to the sites connectivity and future planned levels of infrastructure.
- 4.31 **Policy D3** 'Optimising site capacity through the design-led approach' states that development proposals should deliver appropriate outlook, privacy and amenity. Development proposals should ensure that it is suitable in terms of form and layout, experience, quality and character.
- 4.32 **Policy D4** 'Delivering good design' states that design and access statements submitted with development proposals should demonstrate that the proposal meets the design requirements of the London Plan. The design of development proposals should be thoroughly scrutinised.

- 4.33 **Policy D5** ‘Inclusive design’ states that development proposals should achieve the highest standards of accessible and inclusive design. Development proposals should be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core should be a suitably sized fire evacuation lift.
- 4.34 **Policy D6** ‘Housing quality and standards’ sets out a range of criteria for new residential developments to adhere to. These include requiring ‘housing developments to be of high quality design and provide adequately-sized rooms (see Table 3.1), with comfortable and functional layouts, which are fit for purpose and meet the needs of Londoners, without differentiating between tenures.’. The design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 4.35 **Policy D7** ‘Accessible Housing’ states that at least 10 per cent of dwellings should meet Building Regulation requirement M4(3) ‘wheelchair user dwellings’. This policy is generally limited to new build dwellings. Where any part of an approach route – including the vertical circulation in the common parts of a block of flats – is shared between dwellings of different categories (i.e. M4(2) and M4(3)), the design provisions of the highest numbered category of dwelling served should be applied. In exceptional circumstances, it may be necessary to apply some flexibility in the application of this policy such as for specific small-scale infill developments (see Policy H2 Small sites), flats above existing shops or garages or stacked maisonettes where the potential for decked access to lifts is restricted.
- 4.36 **Policy D9** ‘Tall Buildings’ states that plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey. Issues such as visual impact, functional impact and environmental impact will need to be considered.
- 4.37 **Policy D10** ‘Basement development’ states that boroughs should establish policies in their Development Plans to address the negative impacts of large-scale basement development beneath existing buildings, where this is identified as an issue locally. The Mayor considers that smaller-scale basement excavations, where they are appropriately designed and constructed, can contribute to the efficient use of land, and provide extra living space without the costs of moving house. Measures such as requiring Construction Method and Management Plans can help protect neighbours during construction.

- 4.38 **Policy D11** ‘Safety, security and resilience to emergency’ seeks to ensure that developments are resilient to flood risk. It also seeks to ensure that developments are resilient to fires.
- 4.39 **Policy D12** ‘Fire Safety’ states that 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.
- 4.40 **Policy D13** ‘Agent of Change’ states that the Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.
- 4.41 **Policy D14** ‘Noise’ states that, in order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise.
- 4.42 **Policy HC1** ‘Heritage conservation and growth’ states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation.
- 4.43 **Policy T1** ‘Strategic approach to transport’ states that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes.
- 4.44 **Policy T2** ‘Healthy Streets’ states that development proposals and Development Plans should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling.
- 4.45 **Policy T3** ‘Transport capacity, connectivity and safeguarding’ states that development proposals should ensure the provision of sufficient and suitably-located land for the development of the current and expanded public and active transport system to serve London’s needs.
- 4.46 **Policy T4** ‘Assessing and mitigating transport impacts’ states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity.
- 4.47 **Policy T6** ‘Car Parking’ states that in areas of PTAL 6, car free development is expected. Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. The parking standards are maximum standards. **London Plan Policy T6.1** relates to residential parking and states that development within areas of

PTAL 6 should be car free. **London Plan Policies T6.2 and T6.3** relate to office and retail parking. Car free developments are again encouraged.

- 4.48 **Policy T5** 'Cycling' states that cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. The relevant parking standards are identified in the Plan.
- 4.49 **Policy T7** 'Deliveries, servicing and construction' states that development proposals should facilitate sustainable freight movement by rail, waterways and road.
- 4.50 **Policy S1** relates to London's 'Social Infrastructure' and supports developments which contribute towards a good quality of life, which include (amongst other activities) health, recreation and sports. **Policy E1** 'Offices' states that existing viable office floorspace capacity in locations such as Richmond should be retained. The redevelopment, intensification and change of use of surplus office space to other uses including housing is supported, but marketing evidence (12 months) should be provided. **Policy E2** 'Providing suitable business space' states that development proposals that involve the loss of existing B Use Class business space in areas identified in a local Development Plan Document where there is a shortage of lower-cost space or workspace of particular types, uses or sizes, should demonstrate that there is no reasonable prospect of the site being used for business purposes, or ensure that an equivalent amount of B Use Class business space is re-provided in the proposal.
- 4.51 **Policy E8** 'Sector growth opportunities and clusters' states that employment opportunities for Londoners across a diverse range of sectors should be promoted and supported along with support for the development of business growth and sector-specific opportunities.
- 4.52 **Policy G1** 'Green Infrastructure' states that London's network of green and open spaces, and green features in the built environment, should be protected and enhanced. Proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. **Policy G5** 'Urban Greening' states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. **Policy G6** 'Biodiversity and access to nature' states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain.

- 4.53 **Policy GG6** ‘Increasing efficiency and resilience’ seeks to ensure flood risk safety and improve energy efficiency and support the move towards a low carbon circular economy.
- 4.54 **Policy SI1** ‘Improving air quality’ seeks to tackle poor air quality. Development proposals in Air Quality Focus Areas or that are likely to be used by large numbers of people particularly vulnerable to poor air quality, such as children or older people should demonstrate that design measures have been used to minimise exposure. In order to reduce the impact on air quality during the construction and demolition phase development proposals must demonstrate how they plan to comply with the Non-Road Mobile Machinery Low Emission Zone and reduce emissions from the demolition and construction of buildings following best practice guidance.
- 4.55 **Policy SI2** ‘Minimising greenhouse gas emissions’ seeks major developments to be net zero carbon. The energy hierarchy shall be followed. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be accounted for. Major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions.
- 4.56 **Policy SI3** ‘Energy Infrastructure’ states that developments should connect to existing heat networks wherever feasible.
- 4.57 **Policy SI4** ‘Managing heat risk’ states that development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure.
- 4.58 **Policy SI5** ‘Water Infrastructure’ states that development proposals should achieve mains water consumption of 105 litres or less per head per day (excluding allowance of up to five litres for external water consumption). Development proposals should seek to improve the water environment and ensure that adequate wastewater infrastructure capacity is provided and take action to minimise the potential for misconnections between foul and surface water networks. They should also achieve at least the BREEAM excellent standard for the ‘Wat 01’ water category and incorporate measures such as smart metering.

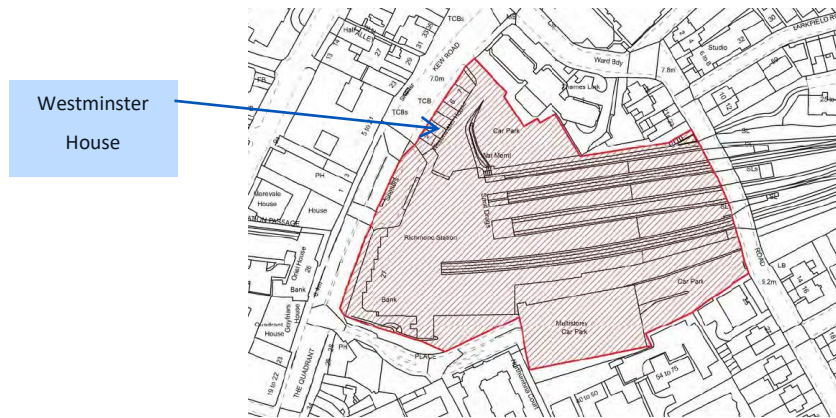
- 4.59 **Policy SI7** 'Reducing waste and supporting the circular economy' states that resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal will be achieved.
- 4.60 **Policy SI12** 'Flood risk management' states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses. Development proposals should contribute to the delivery of the measures set out in Thames Estuary 2100 Plan.
- 4.61 **Policy SI13** 'Sustainable drainage' states 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.

**c) Local Planning Policy**

- 4.62 LB Richmond Upon Thames initially adopted their Local Plan on 3 July 2018.
- 4.63 The application site is subject to the following policy designations:
- The site is within Richmond Town Centre boundary and the ground floor retail units are part of an identified Secondary Shopping Frontage;
  - The site lies with a designated Key Office Area (Richmond Centre (parts of));
  - The site is subject to site allocation policy SA19 Richmond Station, Richmond;
  - The site falls within Central Richmond Conservation Area.

i) *Site Allocation and Principle of Development*

- 4.64 Westminster House is subject to site allocation policy **SA 19 Richmond Station, Richmond**. The policy follows the publication of the Richmond Station Planning Brief in 2002 and has been brought forward from the previous UDP, which was prepared by the Council in conjunction with Network Rail. Despite the long-standing policy allocation, no redevelopment schemes have come forward to date.



**Figure 3:** Plan showing land subject to Policy SA19 (Source: Richmond Council, 2023)

4.65 **Policy SA19** seeks comprehensive redevelopment of the site to provide an appropriate mix of main centre uses. This includes as a priority the provision of retail, leisure and entertainment floorspace as well as employment floorspace. Appropriate main centre uses, such as other employment generating uses and social infrastructure and community uses should also be provided. The provision of housing on upper floors as part of a mixed-use scheme would be appropriate. (our emphasis)

4.66 The policy goes onto state (inter alia) that:

- This is a key development site and gateway into Richmond main centre, set within the Richmond Central Conservation Area.
- There is a need for comprehensive redevelopment, including transport interchange improvements (both National Rail and London Underground).
- The station is a designated Building of Townscape Merit.
- Any redevelopment proposal must be of the highest quality in character and respond positively to the Conservation Area.
- This site is located in the borough's largest centre and therefore there is an expectation that any proposals will allow for office space.
- An appropriate mix of main centre uses should bring additional benefits to Richmond centre and enhance its vitality and viability by complementing and linking well with the surrounding areas. Therefore, other uses, such community, leisure and entertainment, would also be appropriate.
- The Council has produced and adopted a development brief for this site, which provides further guidance on the site's characteristics, constraints, land use and development opportunities. The Council intends to update this SPD.



- Design objectives and general guidance relating to the local character of the area, which the redevelopment of this site should have regard to, is also set out in the Richmond Village Planning Guidance SPD.

4.67 **Policy LP25** ‘Development in Centres’ advises that the Council will support the development potential of sites by contributing towards a suitable mix of uses that enhance the vitality and viability of the centre. Large developments for a variety of uses are supported in town centres.

4.68 **Policy LP26** ‘Retail Frontages Secondary Shopping Frontages’ states that a non-A1 proposal will be acceptable in the secondary shopping frontages only if it:

- meets community needs (such as a dentist, clinic or health centre, veterinary surgery, gym, fitness studio and facilities which would enable the public better access to police services) and provides a direct service to visiting members of the public;
- retains a ‘shop-like’ appearance;
- is complementary to the area’s shopping function and provide a direct service to the public; and
- will not create an unbroken run of three or more non-A1 units.

4.69 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.

4.70 **Policy LP28** ‘Social and Community Infrastructure’ states that proposals for new or extensions to existing social and community infrastructure will be supported where it meets an identified need, is of high quality and is flexible and adaptable.

4.71 **Policy LP34** goes on to state that new housing seeks to bring forward up to 1,000-1050 new homes in the Richmond area within the plan period.

4.72 **Policy LP40** ‘Employment and local economy’ states that land in employment use should be retained in employment use for business, industrial or storage purposes. In exceptional circumstances, mixed use development proposals which come forward for specific employment sites should retain, and

where possible enhance, the level of existing employment floorspace. The inclusion of residential use within mixed use schemes will not be appropriate where it would adversely impact on the continued operation of other established employment uses within that site or on neighbouring sites.

4.73 **Policy LP41** 'Offices' states that there is a presumption against the loss of office floorspace in all parts of the borough. In the designated Key Office Areas, as shown on the Policies Map, net loss of office floorspace will not be permitted. Any development proposals for new employment or mixed use floorspace should contribute to a net increase in office floorspace where feasible. Specific details would be discussed on a case-by-case basis.

ii) *Design, living & Sustainability Policies*

4.74 **Policy LP1** 'Local Character and Design Quality' requires all development to be of the highest architectural and urban design quality. Inclusive design is promoted as well preserving amenity and natural features.

4.75 **Policy LP2** 'Building Heights' requires new buildings, including extensions, to respect and strengthen the setting of the borough's valued townscapes and landscapes, through appropriate building heights. The centres of Richmond and Twickenham are areas where 'taller' buildings may be appropriate. The Council will take account of climatic effects, including overshadowing, diversion of wind speeds, heat island and glare.

4.76 **Policy LP4** 'Non-Designated Heritage Assets' and **Policy LP3** 'Designated Heritage Assets' are of relevance given the building's location within the Central Richmond Conservation Area (a designated heritage asset) and its proximity to the Richmond Station (a Building of Townscape Merit). The policies require development to conserve and, where possible, take opportunities to make a positive contribution to the historic environment of the borough.

4.77 **Policy LP7** 'Archaeology' states that the Council will seek to protect, enhance and promote its archaeological heritage (both above and below ground).

4.78 **Policy LP8** 'Amenity and Living Conditions' requires all new development to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. Balconies should not result in amenity concerns.

4.79 **Policy LP10** 'Local Environmental Impacts, Pollution and Land Contamination' states that the Council will seek to ensure that local environmental impacts of all development proposals do not lead to

detrimental effects on the health, safety and the amenity of existing and new users or occupiers of the development site, or the surrounding land. The Council promotes good air quality design and new technologies. Developers should secure at least 'Emissions Neutral' development. Construction impacts will also need to be considered.

- 4.80 **Policy LP11** relates to 'Subterranean developments and basements'. The building already benefits from an existing basement level, which is to be rearranged from ancillary parking and storage to a gym use, as well as space for plant and bicycle storage. This requires some limited excavation to increase the floor to ceiling height. Regard will be had to the Council's Good Practice Guide on Basement Developments. The site is not within an area at risk of flooding and so there are no restrictions on existing basements in this respect in line with **Policy LP21** 'Flood Risk and Sustainable Drainage'. The Council will require the use of Sustainable Drainage Systems (SuDS) in all development proposals. Construction impacts will also need to be considered.
- 4.81 **Policy LP12** 'Green Infrastructure' seeks to ensure that development proposals protect, and where opportunities arise enhance, green infrastructure. **Policies LP15** 'Biodiversity' and **LP16** 'Trees, Woodlands and Landscape' state that the Council will seek to support enhancements to biodiversity. **Policy LP17** 'Green roofs and walls' states that the use of green / brown roofs and green walls is encouraged and supported in smaller developments (but not required), renovations, conversions and extensions.
- 4.82 **Policy LP20** of the Local Plan 'Climate Change Adaptation' promotes and encourages development to be fully resilient to the future impacts of climate change in order to minimise vulnerability of people and property. New development, in their layout, design, construction, materials, landscaping and operation, should minimise the effects of overheating as well as minimise energy consumption in accordance with the cooling hierarchy. **Policy LP22** 'Sustainable Design and Construction' requires development to achieve the highest standards of sustainable design and construction to mitigate the likely effects of climate change. An energy statement and Sustainable Construction Checklist will be required. Development should incorporate water conservation measures to achieve maximum water consumption of 110 litres per person per day for homes (including an allowance of 5 litres or less per person per day for external water consumption). All new residential development should achieve a 35% carbon reduction. All new development will be required to connect to existing DE networks where feasible. Proposals for change of use to residential will be required to meet BREEAM Domestic Refurbishment 'Excellent' standard (where feasible). Where feasible, schemes for the Proposal Sites identified in this Plan, will need to provide on-site DE and CHP, this is particularly necessary within the

clusters identified for DE opportunities in the borough-wide Heat Mapping Study. Where on-site provision is not feasible, provision should be made for future connection to a local DE network should one become available. Local opportunities to contribute towards decentralised energy supply from renewable and low-carbon technologies will be encouraged where appropriate.

- 4.83 **Policy LP23** 'Water resources and Infrastructure' states that the borough's water resources and supplies will be protected by resisting development proposals that would pose an unacceptable threat to the borough's rivers, surface water and groundwater quantity and quality.
- 4.84 **Policy LP24** 'Waste Management' states that development should provide adequate waste storage aligned with the Council's SPD on Refuse and Recycling Storage Requirements.
- 4.85 **Policy LP30** 'Health and Wellbeing' states that the planning plays a crucial role in creating environments that enhance people's health and wellbeing. Development should promote sustainable modes, provide access to green infrastructure and should provide access to local community facilities.
- 4.86 **Policy LP31** 'Public Open Space, Play Space, Sport and Recreation' states that Public Open Space, children's and young people's play facilities as well as formal and informal sports grounds and playing fields will be protected, and where possible enhanced. Improvements of existing facilities and spaces, including their openness and character and their accessibility and linkages, will be encouraged. New open spaces, play facilities and formal and informal land for sport and recreation should be linked to the wider Green Infrastructure network as they play an important role in creating social cohesion, encouraging and promoting healthier and more active lifestyles.
- 4.87 **Policy LP35** 'Housing Mix and Standards' states that development within the five main centres should have a higher proportion of small units. 90% of all 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'. Where developments are not able to meet policy requirements for housing mix and standards, the applicant should identify the shortcomings and demonstrate reasons why. Part M of the Building Regulations generally does not apply to dwellings resulting from a conversion or a change of use. 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. All new housing development, including conversions, are required to comply with the Nationally Described Space Standard.

- 4.88 **Policy LP36** 'Affordable Housing' states that on sites below the threshold of 'capable of ten or more units gross', a financial contribution to the Affordable Housing Fund commensurate with the scale of development will be required, subject to viability.
- 4.89 **Policy LP44** 'Sustainable Travel Choices' encourages high trip generating development to be located in areas with good public transport with sufficient capacity, or which are capable of supporting improvements to provide good public transport accessibility and capacity, taking account of local character and context. The Council will work in partnership to promote safe, sustainable and accessible transport solutions, which minimise the impacts of development including in relation to congestion, air pollution and carbon dioxide emissions, and maximise opportunities including for health benefits and providing access to services, facilities and employment.
- 4.90 **Policy LP45** 'Parking Standards and Servicing' states that car free housing developments may be appropriate in locations with high public transport accessibility, such as areas with a PTAL of 5 or 6. The London Plan standards for parking apply.

iii) *Supplementary Planning Documents and Other Planning Guidance*

4.91 The following are of relevance:

- Air Quality (2020)
- Residential Development Standards (2010);
- Basement development - Planning Advice Note (2015);
- Design Quality (2006);
- CA17 Central Richmond Conservation Area Statement;
- CA17 Central Richmond Conservation Area Study;
- Small and Medium Housing Sites (2006);
- Affordable Housing (2014);
- Shopfronts (2010);
- Sustainable Construction Checklist (2016);
- Refuse and Recycling: Storage and Access Requirements for New Developments SPD (2022);
- Buildings of Townscape Merit (2015); and
- Village Plan - Richmond and Richmond Hill (2016).

#### **d) Policy Summary**

4.92 A summary of the key points is set out below:

- Under adopted Policy SA19, a comprehensive redevelopment of the site to provide an appropriate mix of main centre uses (including a gym use) and the provision of housing on upper floors is supported;
- Policy support for increased density and roof level extensions to accommodate new residential units in town centre locations;
- All development should be of a high architectural and urban design character;
- Great weight is afforded to the conservation of heritage assets when considering the impact of a proposed development on the significance of the asset; and
- Development plan policy and guidance is supportive of sustainable development. The delivery of main town centre uses within town centres and housing in sustainable town centre locations is encouraged at all policy levels.

4.93 The following section sets out the case in favour of the proposals assessed against the relevant policies from the documents identified within this section.

# Section 5 Planning Considerations

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5.1 This section provides an assessment of the application proposals in light of development plan and material considerations relevant to the scheme as follows:

- Principle of Proposed Development;
- Affordable Housing;
- Design;
- Basement;
- Quality of Accommodation;
- Amenity;
- Landscaping;
- Flood Risk and Drainage;
- Archaeology;
- Transport;
- Fire Safety;
- Air Quality;
- Energy and Sustainability; and
- Construction.

5.2 The relevant planning considerations are discussed below:

**a) Principle of the Proposed Development**

Residential Use

5.3 The principle of a residential use on the upper floors of this existing commercial property has been accepted by the Council in the pre-application advice received and is supported by national and local policy.

5.4 The NPPF (2023) provides explicit support for brownfield airspace development above existing commercial premises within sustainable town centre locations for new homes. Support for this is also evidenced by the Government amending the Town and Country Planning (General Permitted

Development) (England) Order 2015 (the GPDO) to make it easier for developers to extend existing buildings upwards to provide homes.

- 5.5 Adopted Policy SA19 'Richmond Station', within which the site is located, states that the provision of housing on upper floors is appropriate. Town centre locations are suitable locations for residential development as stated in the NPPF, London Plan Policies GG1, GG2, SD6, SD7 and SD8, adopted Policy LP25 and the Richmond and Richmond Hill Village Plan. The proposal is considered to be entirely in accordance with the policy objectives contained within the NPPF, London Plan, Local Plan and accompanying supplementary guidance.
- 5.6 Westminster House is an existing mixed-use office and retail building located within the Secondary Shopping Frontage of the defined town centre. Whilst there will be a slight loss of retail and office floorspace to accommodate suitable access to the upper floor residential units and to provide the necessary dedicated residential ancillary floorspace in the basement, these losses will be negligible and the principle of residential uses is fully supported by the adopted site-specific policy allocation.
- 5.7 It is important to consider that there is a proliferation of vacant office units within Richmond, including the 1st and 3rd floors at Westminster House, 63 Kew Road, Midmoor House, Ashley House, Parkshot House and Sovereign Gate. In addition, substantial office / commercial floorspace has recently been completed on the old House of Fraser site at 80 George Street (app ref: 22/2333/FUL). Whilst Policy LP41 of the Local Plan states that within the Key Office Area a net loss of floorspace will not be permitted and Policy LP40 states that land in employment use should be retained in employment use for business purposes, in line with the pre-application advice received, the level of office floorspace lost has been minimised as far as possible and the mix of uses proposed have been designed in a way where the continued operation of the employment use can continue.
- 5.8 The space required to facilitate the access for the residential units is required to ensure that it is accessible to all and is also safe for evacuation purposes. Reducing the size of the cycle parking spaces has also been explored, however, any reduction would have resulted in the cycle parking arrangement failing to comply with the London Plan standards. It is also important to consider that London Plan Policies E1 and E2 broadly support the redevelopment, intensification and change of use of surplus office space to other uses including housing.



- 5.9 The proposals will bring forward 7no. 1 and 2 bedroom sized homes within the wider mixed-use building. The housing mix proposed is acceptable given its town centre location, as specified by the Officer in the pre-application scheme response, adopted Policy LP35 and London Plan Policy H10. In the pre-application response, the Officer advised that it would be *“encouraged to explore whether a greater proportion of small units could be provided”*. As a result, a greater proportion of small units has now been provided.
- 5.10 In addition, it is important to note that adopted Policy LP34 seeks to bring forward up to 1,000- 1050 new homes in the Richmond area within the plan period and the London Plan states that Richmond has a ten year housing target of 4,100 (Policy H1), of which 2,340 is expected to be on small sites (Policy H2). London Plan Policy GG4 states that more homes need to be delivered. There is recognition in the Council’s most recent Local Housing Needs Assessment (2023) that there has been a decrease in the number of one and two bedroom dwellings, which contributes to affordability issues for First Time Buyers. This proposal will make a valuable contribution towards addressing this shortfall in smaller dwellings.
- 5.11 National, London-wide and Borough planning policies all specifically support the provision of new housing wherever possible, with the London Plan specifically stating that Boroughs should aim to exceed their housing targets. Furthermore, the London Plan is even more explicit in emphasising that housing development, especially in highly accessible locations such as the application site, should be encouraged. It specifically states that boroughs should apply a presumption in favour of such proposals, unless the Council can demonstrate that they would give rise to harm to residential privacy, heritage assets, biodiversity or a safeguarded land use.

#### Gym Use

- 5.12 The principle of a gym use in the basement has already been established through the grant of planning permissions in 2019 and 2022. It’s a material consideration that the 2022 permission for the gyn remains extant and can be implemented.
- 5.13 The Council confirmed in the pre-application response that there is no principal objection to Class E use for a gym on site. Social and community uses are generally supported by regional and local policy, as outlined in London Plan Policy S1 and Local Plan Policy LP28. In addition, the gym use will support and enhance Richmond in its role as a major town centre, as it will assist in enhancing its economic

competitiveness by utilising the underused ancillary space in the basement, in accordance with London Plan Policies GG5 and E8.

- 5.14 The underused basement car park comprises ancillary Class E floorspace, therefore, planning permission is not required for a change to gym use. Nonetheless, whilst planning permission is not being sought for the use, it is noted that adopted Site Allocation Policy SA19, London Plan Policies SD6 SD7, and SD8 and adopted Policies LP25 and LP26, identify that a proposed gym use is appropriate for this location.
- 5.15 The Council's land use policy relating to secondary frontages (Policy LP26) was adopted prior to the Government introducing the flexible Class E category, nevertheless the proposed development would continue to meet the aspirations of Policy LP26 in providing a much-needed community facility, creating an active shop frontage, being open to members of the public and in being a use complementary to the area's shopping function. Whilst there will be slight loss of retail floorspace to accommodate suitable access for the residential units on the upper floors, this loss is negligible and the overall unit will remain at a viable size. The scheme aligns with London Plan Policy E9, which generally supports the provision of residential development and other town centres uses in town centres instead of retaining surplus retail space to support wider objectives.

#### Enhancements to Existing Office Use

- 5.16 The scheme looks to provide enhancements in the form of a terrace extending to 26.2 sq.m to the existing office floorspace, which is currently vacant. New commercial floorspace is also proposed to facilitate access to it. The terrace will improve the quality and marketability of the office floorspace for future prospective tenants, subsequently enhancing the town centre and Key Office Area, in line with the NPPF, London Plan Policies GG1, GG2, GG5, SD6, SD7, SD8, E1, E2 and E8 and Local Plan Policies LP25, LP40 and LP41.

#### **b) Affordable Housing**

- 5.17 In order to support the application proposals, an Affordable Housing Viability Statement has been prepared by BNP Paribas to support the scheme proposals. The report states that the scheme is currently unviable as presented.
- 5.18 On this basis, the scheme is compliant with London Plan Policies GG4, GG5, H4, H5, H6 and H7, Local Plan Policies LP36 and the Affordable Housing SPD.

### c) Design

- 5.19 A Design and Access Statement (including an Inclusive Access Statement and Residential Standards Statement) has been prepared by Child Graddon Lewis to support the scheme proposals. This is accompanied by a full drawing set which shows the detailed design of the scheme, including its scale and materiality.
- 5.20 The proposals seek to provide a two-storey roof extension, similar in size to that already approved in 2019. The design has been arrived at following careful consideration of the approved scheme, with changes made to reflect the differing proposed use. Officers will note the similarities between the two schemes and the care that has been taken to reduce massing adjacent to the station building. The proposals form a simple, stepped extension which responds well to the original design of Westminster House and minimizes the massing, particularly in views from the station and The Quadrant.
- 5.21 The proposals allow for a viable and deliverable construction solution, which permits existing commercial tenants to remain in occupation during the construction phase. Indeed, the stepped back nature of the design and lightweight design utilising silver-blue anodized aluminium and glazing further reduces the scale, bulk and massing of the extension of the additional storeys. This design limits any perceived visual impact in terms of massing and bulk of the proposals. The principle of a taller building in Richmond is acceptable and in accordance with adopted Policy LP2.
- 5.22 In terms of materiality, the fenestration and façade treatment will emphasise the horizontal nature of the building which will decrease the extension's perceived height. At ground floor level, the main façade is to be improved through the unification of the shop fronts, and the creation of additional glazing will activate the street on the northern corner. The existing painted render finish of the expanses of blank wall facing the station will receive a brick finish, providing a warmer and more coherent appearance. The tired and outdated facades of the office floors will be improved, through the replacement of the windows and the addition of ribbed terracotta cladding. These proposed changes to the building's frontage seek to achieve a sense of balance and will vastly improve its street presence and contribution to the wider public realm and conservation area.

### **c) Basement**

- 5.23 The basement will require minor excavation in order to increase the existing floor to ceiling height to make it suitable for gym use. This approach was entirely supported by Officers as part of the approval of the 2022 and 2019 applications, and agreed during the latest pre-application response.
- 5.24 To support the basement excavation, a Basement Impact Assessment / Groundwater Screening Assessment has been prepared by Lustre Consulting. The Assessment notes that the property is within an 'Area Susceptible to Groundwater Flood' (1km grid cell), with an estimated risk over 75%. The site is located within one of the four defined throughflow catchment areas. It notes that the SuDs measured that are proposed at the site will connect to the existing drainage, however, these are not proposed within the basement area of the site. In addition, the available geological information indicates that beneath any surficial Made Ground, the soils underlying the property are likely to be sand and gravel (classified as a Secondary A aquifer) to approximately 6 to 8m depth, overlying London Clay (classified as unproductive strata). Given that the proposal is to increase the head height of the basement by 0.62m and that the existing basement is in a good condition with no history of water ingress, it is considered that based on the information available at this time it is unlikely that the proposed development will be at significant risk of flooding or affect local groundwater conditions.
- 5.25 The scheme is therefore compliant with London Plan Policy D10, Local Plan Policies LP11 and LP21 and the Basement Development Planning Advice Note.

### **d) Quality of Accommodation**

- 5.26 The residential units will adhere to the internal and external amenity space standards as set out in London Plan Policies, the London Housing Standards LPG 2023 and Local Plan Policy LP35. By being dual aspect, the standard of the residential accommodation on the upper floors will be high for future occupiers.
- 5.27 With respect to playspace, the GLA's child population yield calculator states that the scheme is expected to generate less than 1 child. Notwithstanding this, and given the proposed housing mix and the schemes town centre location (which is generally unsuitable for families), private dedicated amenity areas have been provided for each flat which can be utilised as child playspace areas if desired.

- 5.28 The scheme will incorporate a lift to the upper residential floors to ensure that the scheme is inclusive and accessible to all, whilst also being suitable for evacuation purposes in case of fires. Level access will be provided to the bike stores and refuse and storage areas in the basement also.
- 5.29 In terms of bin storage, a total provided is in accordance with the standards set out in the Refuse and Recycling: Storage and Access Requirements for New Developments SPD, in accordance with adopted Policy LP24, which states that blocks of domestic flats and commercial premises should provide suitable and sufficient space for refuse storage.
- 5.30 On the basis that the scheme will be inclusive and accessible to all, will provide a high level of accommodation for all occupiers and will provide adequate amenity areas and refuse storage, the scheme is compliant with the NPPF, London Plan Policies GG1, GG4, D5, D6, D7, H10, S4 and SI7, Local Plan Policies H2, LP1, LP24, LP30, LP31 and LP35 and the Residential Development Standards and Refuse and Recycling: Storage and Access Requirements for New Developments SPDs.

**e) Amenity**

**i. Privacy and Outlook**

- 5.31 The proposals seek external terraces towards Kew Road (A307). It is understood that the properties on the opposite side of Kew Road (no's 21-31) appear, from Council records, to contain flats at first, second and third floors. Due to the separation distance (roughly 20m) across Kew Road, it is not considered that there is likely to be any adverse impact on the occupiers of the flats opposite in terms of privacy or visual intrusion.
- 5.32 The scheme is compliant with the NPPF, London Plan Policies GG1, GG3 and D3 and Local Plan Policies LP1, LP8, LP10, LP30 and LP44.

**ii. Daylight and Sunlight**

- 5.33 The Assessment states that, in terms of daylight and sunlight to neighbouring properties, the results of the tests show that whilst reductions will occur to individual windows, the amount of residual daylight received to each dwelling will remain high and in line with recommendations set out in the BRE guide. A similar pattern occurs with the No-Sky Line assessment and where BRE shortfalls are noted, in all instances rooms will be left within 0.80 times of their the former values. For sunlight, all

rooms considered pass the BRE test for Annual Percentage of Sunlight Hours. With respect to daylight and sunlight to the rooms within the scheme itself, the illuminance method (SDA) for daylight and sunlight exposure (SE) for sunlight has been considered. The results of the SDA assessment show that 100% of the rooms considered fully comply with BS 17037:2018 target levels for daylight. For Sunlight Exposure, all main rooms comply with targets.

5.34 The scheme complies with Local Plan Policies D6 and LP8.

**iii. Noise**

5.35 An Environmental Noise Survey and Noise Impact Assessment Report has been prepared by Hann Tucker Associates to support the scheme proposals.

5.36 A detailed environmental noise survey has been undertaken in order to establish the currently prevailing environmental noise climate around the site. The environmental noise impact upon the proposed dwellings has been assessed in the context of building regulations, and national and local planning policies.

5.37 Appropriate target internal noise levels have been proposed. These are achievable using acoustically high-performing mitigation measures. Preliminary acoustic performance specifications for the external building fabric elements have been recommended such that appropriate internal noise levels should be achieved.

5.38 The assessment shows the site, subject to appropriate mitigation measures, is suitable for residential development in terms of noise, even with the proximity to the rail line, plant and the busy central location.

5.39 On this basis, the scheme is compliant with London Plan Policies D13 and S14 and Local Plan Policies LP8 and LP10.

**f) Landscaping**

5.40 The site is fully developed, with no existing elements of planting or areas of ecological value. Whilst not a policy requirement due to the minor nature of the scheme, in order to demonstrate the sustainable and green credentials of the scheme, a net biodiversity gain is proposed. This will be through the delivery of a green roof, which will be 71.1 sq. m in area and the provision of bird and bat

boxes. These benefits are supported by the NPPF, London Plan Policies GG2, GG3, H2, G1, G5 and G6 and Local Plan Policies LP1, LP12, LP15 and LP16, LP17 and LP30.

**g) Flood Risk and Drainage**

- 5.41 A Flood Risk and SuDs Assessment has been prepared by Base Energy to support the scheme proposals.
- 5.42 The Assessment confirms that the site is located in Flood Zone 1 and is therefore considered to be at low risk of fluvial / tidal flooding. The site is shown to be in Critical Drainage Area Zone R02. The maps indicate that the site is underlain by Kempton Park Gravel Member (sand and gravel). The underlying bedrock is London Clay. As such, there may be a risk of rising groundwater in the upper gravel layers. However, it is noted that a Basement Impact Assessment has been carried out by Lustre and that the recommendations in that report should be followed accordingly.
- 5.43 The assessment notes that the Environment Agency provide maps on their website which illustrate the risk of surface water flooding along with potential depths and velocities. These show that the site is at low risk of surface water flooding.
- 5.44 With respect to SuDs, there is recognition that the site is constrained insofar that the footprint is largely built out with no areas of greenery. Following redevelopment, the footprint of the building will remain the same. In this instance, given the constraints of the site layout, and in line with the London Plan hierarchy, the following SuDS are proposed:
- Green Roof; and
  - Surface water runoff to continue to drain as existing.
- 5.45 The areas of green roof will provide betterment (in terms of surface water management) when compared with the existing situation.
- 5.46 Operation and maintenance schedules have been provided; these, or similar schedules, will be adopted by the management company.
- 5.47 The scheme complies with the NPPF, London Plan Policies GG6, D11, SI5, SI12, SI13 and Local Plan Policies LP11 and LP21.

## **h) Archaeology**

- 5.48 The site does not lie within an Archaeological Priority Area. An Archaeological Desk-Based Assessment has been prepared by Pre-Construct Archaeology Ltd to support the scheme proposals. The Assessment states that, despite the identified potential for medieval and post-medieval archaeological remains, the site has seen considerable previous impacts, notably the current basement which encompasses the entire building footprint. The excavation of the basement will likely already have had a high impact on below ground deposits, potentially deep into the underlying natural strata. As such the archaeological potential of the site is negated by the previous impacts which suggests any potentially underlying archaeological remains will already have been removed.
- 5.49 Thus, the scheme complies with London Plan Policy HC1 and Local Plan Policy LP7.

## **i) Transport**

- 5.50 A Transport Statement has been prepared by i-Transport to support the planning application. The Statement recognizes that the site has a PTAL rating of 6b, which is the highest accessibility rating possible. Therefore, it is considered that it is extremely well located for residential apartments, with a wide range of facilities within comfortable walking and cycling distance. The proposed development has the potential to generate a total of around 18 two-way person trips in the morning peak hour and 30 two-way person trips in the evening peak hour. The Statement states that the Method of Travel to Work Census data indicates that around 72% of trips to/from the site are likely to be made via public transport, which, applied to the total site trip generation, would equate to 13 public transport trips in the morning peak hour and 22 in the evening peak hour. This number of additional trips spread across the high number of frequent train, underground and bus services available in the vicinity of the site will result in a minimal impact on the public transport network. On this basis, it is not considered that the scheme will have a detrimental impact on the operation of the local highway network or public transport system and it will certainly not be “severe”, in line with the NPPF.
- 5.51 Two solely pedestrian entrances and one pedestrian/cyclist entrance will be provided to ensure all users are able to access the gym and residential apartments, which is acceptable.
- 5.52 In terms of the level of parking proposed, given the very accessible nature of the site’s town centre location, it is considered that a car-free development is acceptable. The level of cycle parking proposed is in accordance with the London Plan standards and the scheme is ideally located to complete a majority of local journeys to key facilities on foot or by bicycle.



5.53 The scheme is therefore broadly compliant with the NPPF, London Plan Policies GG2, GG5, T1, T2, T3, T4, T5, T6, T6.1, T6.2, T6.3 and T7 and Local Plan Policies LP30, LP44 and LP45.

**j) Fire Safety**

5.54 A Fire Strategy has been prepared by John Streets to support the scheme proposals. A suitably sized evacuation lift is to be provided. This states that the building is designed and can be managed in such a manner that it can be safely and effectively evacuated in case of fire. The following areas are covered in the Strategy:

- Means of Warning and Escape
- Internal fire spread (Linings)
- Internal Fire spread (Structure)
- External Fire spread
- Access and facilities for the Fire service

5.55 Thus, the scheme complies with London Plan Policies D5, D11 and D12.

**k) Air Quality**

5.56 The entirety of Richmond is situated within an Air Quality Management Area. The application site is also within an Air Quality Focus Area. Whilst two bedroom homes are not family units by definition, the pre-application response recommended that the proportion of two bedroom units be reduced as it was advised that developments to be used by vulnerable groups of the population, especially children, should not generally be located in the AQFAs. As a result, the proportion of two bedroom units has been reduced.

5.57 An Air Quality Assessment has been prepared by Delta Simons to support the scheme proposals. For the construction phase, the Assessment has identified that there is a low risk of dust soiling impacts and a low risk of increases in PM concentrations due to unmitigated construction activities. However, through good site practice and the implementation of suitable mitigation measures, the effect of dust and PM10 releases would be significantly reduced. The residual effects of dust and PM10 generated by construction activities on air quality are therefore considered to be not

significant. The residual effects of emissions to air from construction vehicles and plant on local air quality is considered to be not significant.

- 5.58 Operationally, the Assessment states that the site lies within an area where air quality is mainly influenced by emissions associated with traffic along the local road network. Pollutants considered in this assessment were NO<sub>2</sub> and PM (PM<sub>10</sub> and PM<sub>2.5</sub>). Delta Simons state that the proposal has the potential to expose future residents to elevated pollution levels. Dispersion modelling was therefore undertaken. The results of the modelling states that the residual effects of the scheme are considered to be not significant and the site is suitable for the proposed end-use from an air quality perspective. It is considered that potential impacts during the operational phase of the proposed development may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site. However, as there are no anticipated vehicle trips associated with the proposed development, operational phase road traffic exhaust emissions are considered to be not significant. Based on the assessment significance criteria, the residual effects of the proposed development are considered to be not significant for all pollutants assessed.
- 5.59 The scheme therefore complies with London Plan Policies GG3 and SI1, Local Plan Policies LP8, LP10 and LP44 and the Air Quality SPD.

#### **I) Sustainability**

- 5.60 An Energy Statement and a Sustainability Statement (including a Sustainable Construction Checklist and a National Water Standards Statement) have been prepared by Hodkinson to support the proposals.
- 5.61 The Energy Statement states that the development has been formulated following the London Plan Energy Hierarchy of 'Be Lean, Be Clean and Be Green'. A range of 'Be Lean' energy efficiency measures have been proposed to reduce energy demands. This includes U-values better than those required for Part L 2021 and the specification of energy efficient equipment. With respect to 'Be Clean', the feasibility of decentralised energy production has been assessed and, given this is a low-density development which is not located near existing heat networks, Hodkinson consider that it is more appropriate to have individual heating systems proposed. In terms of 'Be Green', an appropriate range of Be Green renewable and low carbon technologies has been considered. Solar photovoltaics and heat pumps have been determined to be the most suitable technologies for this development. As such, the proposed development is predicted to achieve an overall reduction of onsite regulated CO<sub>2</sub>

emissions of 78.1%. This goes significantly beyond the 35% reduction in regulated CO2 emissions required by planning policy. This represents a high level of sustainable design and construction.

5.62 The Sustainability Statement (including the Sustainable Construction Checklist) highlights that the proposals are very sustainable, for the following reasons:

- All non-residential/commercial units will be designed and built to achieve a BREEAM 'Excellent' rating under the BREEAM Refurbishment and Fit-out (2014).
- The development will target a 77.1% reduction in regulated CO2 emissions for the dwellings, and 78.9% for the gym through the specification of energy efficiency measures and renewable and low carbon technologies.
- The scheme has been designed to ensure overheating risk is reduced to acceptable levels in accordance with CIBSE TM59 and Part O requirements.
- Adequate facilities will be provided for domestic and construction related waste, including segregated bins for refuse and recycling.
- Where practical, new building materials will be sourced locally to reduce transportation pollution and support the local economy. New materials will be selected based on their environmental impact and responsible suppliers will be used where possible.
- The site is sustainable, as demonstrated by the myriad of supplementary reports and information submitted with the planning application, in terms of construction, ecology and biodiversity, transport, noise, security, flood risk and drainage.

5.63 A National Water Standards Statement has also been prepared by Hodkinson, which is within the Sustainability Statement. This demonstrates that water consumption will be 110 litres per person per day (including an allowance of 5 litres or less per person per day for external water consumption).

5.64 Thus, the scheme complies with London Plan Policies GG5, GG6, SI2, SI3, SI4, Local Plan Policies LP1, LP2, LP8, LP10, LP20, LP22 and LP23 and the Sustainable Construction Checklist SPD.

#### **m) Construction**

5.65 The construction impacts of the scheme have been carefully considered. A Construction Method Statement and Construction Management Statement have been prepared by ECP Partnership, a

Sustainable Construction Checklist has been prepared by Hoskinson and a Structural Statement has been prepared by Axiom Structures Limited.

- 5.66 The Sustainable Construction Checklist is described above in section n). The Structural Statement evidences the scheme safeguards the structural stability of the existing building, neighbouring buildings and other infrastructure, including related to the highway and transport.
- 5.67 The Construction Method Statement concludes that there is a safe and effective method of excavating and construction basements without significant impact on the public highway or neighbouring properties. The proposal for the basement and roof extension is feasible using conventional and proven construction methods.
- 5.68 The Construction Management Statement has been prepared to mitigate any construction impacts on the environment. The Statement provides the relevant contact details for the personnel who will be responsible for the construction stage, describes the employer and professional team, describes the site and the works, provides the working hours for the site, provides details for the construction traffic and the arrangement of the site, outlines the dust, noise and vibration monitoring and control measures, provides measures for waste management and scaffold installation and outlines the engagement measures that will be undertaken with local residents.
- 5.69 As such, the scheme complies with London Plan Policies D10 and S11 and Local Plan Policies LP8, LP10, LP11 and LP22 and the Sustainable Construction Checklist SPD.

## Section 6 Heritage Impact Assessment

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- 6.1 The Site is situated within the Central Richmond Conservation Area and adjacent to Richmond Railway Station, which is a building of Townscape Merit (undesignated heritage asset). The conservation area comprises the designated heritage asset and the level of detail in this assessment is proportionate to the significance of the assets, their settings and the limited scale of the works.
- 6.2 The relevant policies for proposals affecting heritage assets are set out in the NPPF. This establishes a core principle in favour of the conservation of designated heritage assets, such as conservation areas. This heritage impact assessment has been prepared in the context of this guidance. London Plan Policies GG5 and HC1 and Local Plan Policies LP1, LP2, LP3 and LP4 also support this aim stating 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.
- 6.3 Paragraph 189 of the NPPF sets out that heritage assets are irreplaceable and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. In determining applications, paragraph 197 states that local planning authorities should take account of:
- a) **“the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;**
  - b) **the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and**
  - c) **the desirability of new development making a positive contribution to local character and distinctiveness.”**
- 6.4 Additionally, paragraph 194 of the NPPF which states that:
- “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to**

**the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance."**

6.5 Paragraph 202 states that 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 including, where appropriate, securing its optimum viable use.

6.6 It is important to draw upon the 2019 scheme which sought similar alterations to the building. When determining the proposals officers noted that:

**"The current proposal would result in an increased height of approximately 7.0m, similar to that of the previously approved fifth and sixth floor extension and the lightweight, glazed approach to the proposal would be appropriate in this locality. Furthermore, the removal of the existing incongruous and isolated plant room at roof level is a key benefit of the proposed development. This would reduce existing roof clutter and result in a structure to this end of the building, which will improve the relationship with the adjoining Richmond Station and improve the setting of this non-designated heritage asset."**

6.7 In light of these comments, the upgrading of the cladding has been once again proposed, enabling it to better contribute to the character of the conservation area. Indeed, the extension will be perceived as a visually lightweight addition to the building and not appear overly dominant. The proposed use of ribbed terracotta cladding to the lower / middle levels, the lightweight silver-blue anodized aluminium on the upper levels and lower banding across the existing building would ensure that these new additions sit comfortably in this location by maintaining the horizontal rhythm of the building.

6.8 The additional storeys will be set back from the existing façade of the building, furthermore, the proposed structure and finishes will seamlessly fit into the streetscape. The proposals therefore meet the aims set out within London Plan Policies GG5 and HC1 and Local Plan Policies LP1, LP2, LP3 and LP4 in so far that the development will make a positive contribution to the character and appearance of the Central Richmond Conservation Area.

### **a) Character of the Central Richmond Conservation Area**

- 6.9 The Central Richmond Conservation Area was initially designated in January 1969. The application site was not included in the original designation. The Conservation Area has been extended a number of times and was last revised in November 2005.
- 6.10 Being on an important coaching route to London, the area has repeatedly been redeveloped, although the original street pattern survives. Most of the 18th century buildings of George Street, the Quadrant and Sheen Road were replaced piecemeal by mid to late 19th and early 20th century commercial architecture providing shops for the needs of the expanded local community after the arrival of the railway.
- 6.11 In terms of character, the Council's Conservation Area Statement for Central Richmond states: *"This is mainly a commercial shopping area and the townscape is noteworthy for its variety, with a consistently high quality and many exuberant individual buildings."*
- 6.12 It goes on to recognise that the Conservation Area is characterised by a variety of façade treatments and external material use.

### **b) Character of Richmond Railway Station**

- 6.13 Richmond Railway Station is in the Art Deco style and features a square clock in the middle of its façade. It is constructed of Portland stone.
- 6.14 Whilst Richmond Railway Station is not statutorily listed, it is recognised for its significance to the history and character of the local environment and is locally listed and identified as a 'Building of Townscape Merit'.
- 6.15 Richmond Railway Station has some merit as a heritage asset, though its significance is at a local level only. The application site is adjacent to the station building and within its immediate setting.

### **c) Impact of the works**

#### **i. Central Richmond Conservation Area**

- 6.16 The Council's Conservation Area Statement recognises the commercial character of the area and the variety of the townscape. The statement goes on to state that "building heights vary two to five storeys and roof treatments vary". Furthermore, the 2019 permission established the principle for

two additional levels of accommodation at Westminster House. As the proposals will result in similar materiality, mass and height, it is considered that the proposals in this instance will be entirely acceptable.

- 6.17 The design of the proposed development responds sensitively to the host building and conservation area through its careful subordinate articulation at roof level. The upgrading of the cladding and use of lightweight materials for the roof extension will suitably lift the appearance of the building and ensure a consistent design approach, enabling it to better contribute to the character of the conservation area.
- 6.18 The proposal includes a light brick finish to be added to both ends of the building. The existing façade of both ends is somewhat drab and in need of a refresh. The finish would significantly upgrade and enhance these external elevations, bringing colour and life to the building and the wider conservation area. Accordingly, the proposed façade treatment will respond positively to the host building and not harm the character of the wider conservation area, which features a variety of building materials and finishes.
- 6.19 Overall, it is considered that the proposals will not only conserve, but enhance, the character and appearance of the Conservation Area, in accordance with the provisions of London Plan Policies GG5 and HC1, Local Plan Policies LP1, LP2, LP3 and LP4 and the aims of paragraph 189 of the NPPF.

ii. Richmond Railway Station

- 6.20 Careful consideration has been given to the relationship between the southern end of Westminster House and the station building. The proposed extension has been purposely designed to be glazed and made from light aluminium and includes a stepped form which pulls away from the Station building. This configuration will ensure that the development reads as a distinct, light and discrete addition, that will complement the heritage asset through its subordinate profile.
- 6.21 Similarly, the treatment of the façade of the building has been carefully selected to be sympathetic to the host building and adjoining station building. Specifically, the use of glass and the light brick cladding will showcase the Portland Stone construction of the station building, rather than detract from it, as is the case with Westminster House's existing drab and tired finish.
- 6.22 Accordingly, the setting of Richmond Station will not only be preserved but enhanced in accordance with the provisions of London Plan Policies GG5 and HC1, Local Plan Policies LP1, LP2, LP3 and LP4,



national heritage policies and the Buildings of Townscape Merit SPD. There would be no harm to the significance of this Building of Townscape Merit.

6.23 In summary, we consider that the proposals will not have a negative impact on the setting or character of the Conservation Area or Richmond Railway Station. The use of high-quality materials to the front and rear elevations along with the siting and materiality of the extension will have no impact on the historic area. The proposals in fact, draw upon the local heritage of the area and draw out the positive historical attributes of surrounding uses, that will create new retail frontages of high quality along with new distinctive places to live.

## Section 7 Conclusion

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- 7.1 This planning application seeks permission for the creation of two additional levels including Class C3 accommodation comprising 7no.units and Class E accommodation for internal access to a communal terrace, conversion and excavation of the existing Class E basement and part conversion of existing floorspace at basement, ground, first, second, and third floor levels to provide internal access and ancillary residential floorspace with external alterations and associated development.
- 7.2 The Statement has confirmed that the scheme is acceptable for a number of reasons, including:
- The proposals will result in the provision of seven new dwellings at the fourth and fifth floors. This is fully supported within the sites' allocation (SA19 'Richmond Station') and by the policies contained within the NPPF and London Plan.
  - The Council has identified a significant need for one and two bedroom homes within the borough, particular in town centres. The proposals are in accordance with the relevant space standards, in terms of internal space, external amenity, refuse and storage requirements. The proposed scheme responds to national, regional and local planning policy objectives and will help to meet the need for smaller sized housing in the borough.
  - The site already benefits from Class E use and therefore the use of the space as a gym (Class E) does not require planning permission. Notwithstanding this, the site benefits from extant permission for gym use and this type of use is supported under the aforementioned site allocation policies.
  - The creation a new active frontage, which has already been supported by the Council.
  - The refurbishment and re-cladding of a tired and dated building will enhance the character and appearance of the Conservation Area, in accordance with the provisions of London Plan Policies GG5 and HC1, Local Plan Policies LP1, LP2, LP3 and LP4 and the aims of paragraph 189 of the NPPF.
  - The provision of car and cycle parking for future users will meet London Plan standards. The development is sustainably car free.

- The scheme will meet the relevant sustainability and energy standards, will ensure that amenity is protected both for future occupiers and neighbours during the construction and operation stages and will be safe from the perspective of fire, flood risk and drainage.
- The scheme is sustainable as it will provide a net gain in biodiversity through the provision of a green roof.

7.3 Accordingly, it is considered that the proposal comprises a sustainable form of development that will enhance this prominent gateway building and create a welcoming setting for Richmond Station Plaza and the wider town centre. The proposals are compliant with the NPPF, London Plan and LB Richmond Development Plan policy. Planning permission should therefore be granted without delay.

# Appendix 1: Decision Notice (reference. 19/0527/FUL)

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Mr Tim Williams  
Firstplan  
Firstplan  
Bramah House  
65-71 Bermondsey Street  
London  
SE1 3XF  
United Kingdom

Letter Printed 16 May 2019

**FOR DECISION DATED**  
16 May 2019

Dear Sir/Madam

**The Town and Country Planning Act 1990, (as amended)**  
**Decision Notice**

**Application:** 19/0527/FUL  
**Your ref:** Westminster House - 2 Storey ...  
**Our ref:** DC/LUS/19/0527/FUL/FUL  
**Applicant:** n/a  
**Agent:** Mr Tim Williams

**WHEREAS** in accordance with the provisions of the Town and Country Planning Act 1990 and the orders made thereunder, you have made an application received on **18 February 2019** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

**Westminster House Kew Road Richmond TW9 2ND**

for

**Creation of two additional levels of Class B1 office accommodation (482 sq m), conversion of the existing basement into Class D2 gym use (288.5 sq m) together with green walls and associated external refurbishments**

NOW THEREFORE WE THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES acting by the Council of the said Borough, the Local Planning Authority HEREBY GIVE YOU NOTICE pursuant to the said Act and the Orders made thereunder that permission to develop the said land in accordance with the said application is hereby **GRANTED** subject to the conditions and informatives summarised and listed on the attached schedule.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Angus', with a long horizontal flourish extending to the right.

Robert Angus  
Head of Development Management

# SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION 19/0527/FUL

## APPLICANT NAME

n/a  
c/o Firstplan

## AGENT NAME

Mr Tim Williams  
Firstplan  
Bramah House  
65-71 Bermondsey Street  
London  
SE1 3XF  
United Kingdom

## SITE

Westminster House Kew Road Richmond TW9 2ND

## PROPOSAL

Creation of two additional levels of Class B1 office accommodation (482 sq m), conversion of the existing basement into Class D2 gym use (288.5 sq m) together with green walls and associated external refurbishments

## SUMMARY OF CONDITIONS AND INFORMATIVES

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### CONDITIONS

AT01	Development begun within 3 years
U0061790	Decision Documents
BD12	Details - Materials to be approved
DV46A	BREEAM for Non-Housing~
U0061791	CO2 reduction
U0061792	Cycle Parking
U0061793	D2 use - Gym Specific
U0061794	Restrictions to Parking Permits
U0061795	Construction Management Plan
U0061796	Green Walls
U0061797	Services Plant
U0061798	Amplified Sound System
U0061799	Fitness Space - Noise Management Plan
U0061800	Fitness Space - Noise Control
U0061801	Local Employment Agreement

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### INFORMATIVES

U0034363	Composite Informative
U0034364	Land Contamination
IL24	CIL liable
U0034366	Hours of Operations
U0034365	NPPF APPROVAL - Para. 38-42

# DETAILED CONDITIONS AND INFORMATIVES

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## DETAILED CONDITIONS

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### **AT01 Development begun within 3 years**

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

### **U0061790 Decision Documents**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable: Dwg. nos. CGL-XX-00-DR-A-PL0XX1, -PL0XX2, CGL-XX-SE-DR-A-PL0XX1, -PL0XX2, CGL-XX-EL-DR-A-PL0XX1, -PL0XX2, -PL0XX3, -PL0XX4, -PL0XX5, CGL-XX-XX-DR-A-PL0XX1, -PL0XX2, -PL0XX3, -PL0XX4, -PL0XX5, Environmental Noise Survey and Plant Noise Assessment Report (reference no. 26189/PNA1/Rev.2, dated 31/01/2019), received on 18th February 2019,

REASON: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.

### **BD12 Details - Materials to be approved**

The external surfaces of the building(s) (including fenestration) and, where applicable, all areas of hard surfacing shall not be constructed other than in materials details/samples of which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality.

### **DV46ABREEAM for Non-Housing~**

The development hereby approved shall achieve BREEAM Rating Excellent in accordance with the terms of the application & the requirements of the BREEAM Guide (or such national measure of sustainability for design that replaces that scheme).

REASON: In the interests of promoting sustainable forms of developments and to meet the terms of the application.

### **U0061791 CO2 reduction**

The development hereby approved shall achieve a 35% reduction in Carbon dioxide emissions beyond Building Regulations requirements (2013).

Reason: In the interests of energy conservation in accordance with Policy LP22 of the Local Plan (2018).

### **U0061792 Cycle Parking**

Prior to the development hereby approved being first brought into use the cycle parking and facilities indicated on drawing no.

CGL-XX-XX-DR-A-PL0XX3 shall be provided and shall thereafter be retained as such.

REASON: To accord with this Council's policy to discourage the use of the car wherever possible.

### **U0061793 D2 use - Gym Specific**

The D2 premises at basement level hereby approved shall be used as a gymnasium and for no other purpose whether or not within Use Class D2; as specified in the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision revoking or re-enacting that order.



REASON: To safeguard the amenities of nearby occupiers and the area generally

#### **U0061794      Restrictions to Parking Permits**

Before the development hereby permitted is first brought into use a scheme shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no commercial occupier of the development (being the B1 use on the fourth and fifth floors and D2 use on the basement) (employees and customers) shall obtain vehicular parking permits within any controlled parking zone which may be in force in the area at any time or season tickets within Council run car parks.

REASON: To ensure that the development does not generate an increased demand for on-street car parking to the detriment of the free flow of traffic, the conditions of general safety along the neighbouring highways, the amenity of the area and to accord with the Councils car parking policy and standards.

#### **U0061795      Construction Management Plan**

No development shall take place, including any works of demolition, until a Construction Management Statement (to include any demolition works) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The Statement shall provide for:

1. The size, number, routing and manoeuvring tracking of construction vehicles to and from the site, and holding areas for these on/off site;
2. Site layout plan showing manoeuvring tracks for vehicles accessing the site to allow these to turn and exit in forward gear;
3. Details and location of parking for site operatives and visitor vehicles (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
4. Details and location where plant and materials will be loaded and unloaded;
5. Details and location where plant and materials used in constructing the development will be stored, and the location of skips on the highway if required;
6. Details of any necessary suspension of pavement, roadspace, bus stops and/or parking bays;
7. Details where security hoardings (including decorative displays and facilities for public viewing) will be installed, and the maintenance of such;
8. Details of any wheel washing facilities;
9. Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including excavation, location and emptying of skips);
10. Details of measures that will be applied to control the emission of noise, vibration and dust including working hours. This should follow Best Practice detailed within BS5288:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites;
11. Details of any highway licenses and traffic orders that may be required (such as for licences for any structures / materials on the highway or pavement; or suspensions to allow the routing of construction vehicles to the site);
12. Details of the phasing programming and timing of works;
13. Where applicable, the Construction Management Statement should be written in conjunction with the Arboricultural Method Statement, and in accordance with British Standard BS5837:2012 'Trees in relation to design, demolition and construction - recommendations', in particular section 5.5, 6.1, 6.2, 6.3 and 7;
14. A construction programme including a 24 hour emergency contact number;
15. See also TfL guidance on Construction Logistics Plans.

REASON: In the interests of highway and pedestrian safety together with the amenity of the area.

#### **U0061796      Green Walls**

Before first occupation of the development hereby permitted, details of the proposed green walls (as shown on drawing no. PQ-04C) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include plant specifications, construction method and a maintenance regime and the approved details shall be implemented in full and maintained hereafter unless otherwise agreed in writing.  
REASON: To ensure a satisfactory form of development and to maximise the sustainability of the site.

#### **U0061797 Services Plant**

The building services plant hereby permitted shall be installed in strict accordance with the details provided in the acoustic report submitted by Hann Tucker Associates reference 26189/PNA1/Rev2 dated 31/01/2019. The plant shall thereafter be retained as approved.

REASON: To have minimal adverse impact on the residents/commercial occupiers in the vicinity of the development site in terms of noise.

#### **U0061798 Amplified Sound System**

1. A dedicated in house sound system shall be used exclusively for the amplification of music and speech which is produced in association with activities undertaken within the health and fitness studio.
2. All speakers which operate through the sound system shall be mounted on resilient mountings or hangers to limit the transfer of structure borne noise. The specification of the mountings will submitted to and approved by the LPA.
3. An Electronic Sound Level Attenuation System otherwise known as an Automatic Gain Control (AGC) device shall be fitted before the amplifier in the signal chain with the thresholds of the limiter set on both the Left and Right stereo channels. The sound attenuation device shall be set by a suitably qualified acoustician/sound engineer and secured so that it cannot be overridden by persons other than the appointed sound system engineers/acoustic consultant. The sound attenuation device shall not be altered without prior agreement with the LPA or Environmental Health Service. The specification of the Sound Level Attenuation System shall be submitted to and approved by the LPA.

REASON: To have minimal adverse impact on the occupiers in the vicinity of the development site in terms of noise.

#### **U0061799 Fitness Space - Noise Management Plan**

A Noise Management Plan (NMP) shall be submitted to and approved by the LPA prior to the first use of the health and fitness studio. The NMP shall include as a minimum, written details of the following information;

- i. Organisational responsibility for noise control
- ii. Hours of operation of the fitness studio
- iii. Details of the conditions controlling noise
- iv. Details of all fitness activities that will be undertaken and activities that will be restricted and/or prohibited.
- v. Details of how the operational noise impact will be managed on a day to day basis.
- vi. A plan showing the layout of the health and fitness studio area and proposed activity zones. The plan will include details of the noise insulation and isolation mitigation measures included within each activity zone.
- vii. Specification details of all noise insulation and isolation materials installed within each activity area
- viii. Details of community liaison and complaints logging and investigation

REASON: To have minimal adverse impact on the occupiers in the vicinity of the development site in terms of noise.

## **U0061800 Fitness Space - Noise Control**

1. The noise control scheme (including sound insulation and isolation measures) installed/implemented in order to limit both airborne noise and structure borne noise from the use of the fitness space including gym and dance studio shall ensure that the airborne and impact noise limit levels are achieved in accordance with levels to be submitted to and agreed in writing with the Local Planning Authority.
2. Full details of the noise control scheme shall be included within the Noise Management Plan and submitted to and approved by the LPA prior to the first use of the health and fitness studio.
3. The works and scheme shall thereafter be retained in accordance with the approved details. No alteration to the scheme which undermines the sound insulation or isolation integrity of the areas it applies to, shall be undertaken without the grant of further specific consent of the local planning authority  
REASON: To protect the amenity of surrounding occupiers

## **U0061801 Local Employment Agreement**

Before the development of the office extension hereby permitted begins, including any works of demolition, a Local Employment Agreement shall be agreed in writing with the local planning authority and be put in place to promote local employment opportunities and training programmes during the construction phase and end-use phase of the development. REASON: To ensure that the employment opportunities are generated and supported by development to accord with the Councils training and education policies.

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## **DETAILED INFORMATIVES**

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### **U0034363 Composite Informative**

#### **Reason for granting:**

The proposal has been considered in the light of the Development Plan, comments from statutory consultees and third parties (where relevant) and compliance with Supplementary Planning Guidance as appropriate. It has been concluded that there is not a demonstrable harm to interests of acknowledged importance caused by the development that justifies withholding planning permission.

#### **Principal Policies:**

Where relevant, the following have been taken into account in the consideration of this proposal:-

National Planning Policy Framework (2019)

The London Plan (2015)

Local Plan (2018)

LP1 Local Character and Design Quality

LP2 Building Heights

LP3 Designated Heritage Assets

LP4 Non-Designated Heritage Assets

LP7 Archaeology

LP8 Amenity and Living Conditions

LP10 Local Environmental Impacts, Pollution and Land Contamination

LP11 Subterranean Developments and Construction

LP17 Green Roofs and Walls

LP20 Climate Change Adaptation

LP22 Sustainable Design and Construction

LP24 Waste Management  
LP25 Development in Centres  
LP26 Retail Frontages  
LP28 Social Infrastructure  
LP29 Education and Training  
LP30 Health and Wellbeing  
LP40 Employment and Local Economy  
LP41 Offices  
LP44 Sustainable Travel Choices  
LP45 Parking Standards and Servicing

SA19 Richmond Station, Richmond

Supplementary Planning Documents (SPDs)

'Building of Townscape Merit' (2015)

'Design Quality' (2006)

'Refuse and Recycling Storage Requirements' (2015)

'Sustainable Construction Checklist' (2011)

'Refuse and Recycling Storage Requirements' (2015)

'Shopfronts' (2010)

'Employment Land Study' (2017)

Richmond and Richmond Hill Village Planning Guidance

### **Building Regulations:**

The applicant is advised that the erection of new buildings or alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made. For application forms and advice please contact the Building Control Section of the Street Scene department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411).

If you alter your proposals in any way, including to comply with the Building Regulations, a further planning application may be required. If you wish to deviate in any way from the proposals shown on the approved drawings you should contact the Development Control Department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411).

### **Damage to the public highway:**

Care should be taken to ensure that no damage is caused to the public highway adjacent to the site during demolition and (or) construction. The Council will seek to recover any expenses incurred in repairing or making good such damage from the owner of the land in question or the person causing or responsible for the damage.

BEFORE ANY WORK COMMENCES you MUST contact the London Borough of Richmond upon Thames, 44 York Street, Twickenham TW1 3BZ, Telephone 020 8891 1411 to arrange a pre-commencement photographic survey of the public highways adjacent to and within the vicinity of the site. The precondition survey will ensure you are not charged for any damage which existed prior to commencement of your works.

If you fail to contact us to arrange a pre commencement survey then it will be assumed that any damage to the highway was caused by your activities and you will be charged the full cost of repair.

Once the site works are completed you need to contact us again to arrange for a post construction inspection to be carried out. If there is no further damage then the case will be closed. If damage or further damage is found to have occurred then you will be asked to pay for repairs to be carried out.

### **Noise control - Building sites:**

The attention of the applicant is drawn to the requirements of section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise and vibration on construction and demolition sites. Application, under section 61 of the Act for prior consent to the works, can be made to the Environmental Health Department.

Under the Act the Council has certain powers to control noise from construction sites. Typically the council will limit the times during which sites are permitted to make noise that their neighbours can hear.

For general construction works the Council usually imposes (when necessary) the following limits on noisy works:-

Monday to Friday 8am to 6pm

Saturdays 8am to 1pm

Sundays and Public Holidays- No noisy activities allowed

Applicants should also be aware of the guidance contained in British Standard 5228:2009- Noise and vibration control on construction and open sites.

Any enquiries for further information should be made to the Commercial Environmental Health Team, 2nd Floor Civic Centre, 44 York Street, Twickenham TW1 3AB.

#### **U0034364 Land Contamination**

The applicant shall keep a watching brief and notify the Council should any unexpected contamination be encountered during the development.

#### **IL24 CIL liable**

The applicant is advised that this permission results in a chargeable scheme under the Borough's and the Mayor of London's Community Infrastructure Levy.

#### **U0034366 Hours of Operations**

There are no restrictions to hours of operations of the proposed B1 and D2 use on site. This is due to a location of the premises within a Town Centre.

#### **U0034365 NPPF APPROVAL - Para. 38-42**

In accordance with paragraphs 38-42 of the National Planning Policy Framework, Richmond upon Thames Borough Council takes a positive and proactive approach to the delivery of sustainable development, by:

- o Providing a formal pre-application service
- o Providing written policies and guidance, all of which is available to view on the Council's website
- o Where appropriate, negotiating amendments to secure a positive decision
- o Determining applications in a timely manner.

In this instance:

- o The application was amended following negotiations with the Council to ensure the scheme complied with adopted policy and guidance, and a decision was made without delay.

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION  
19/0527/FUL

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## Appendix 2: Decision Notice (reference. 22/2962/FUL)

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**Environment Directorate / Development Management**

Web: [www.richmond.gov.uk/planning](http://www.richmond.gov.uk/planning)  
Email: [envprotection@richmond.gov.uk](mailto:envprotection@richmond.gov.uk)  
Tel: 020 8891 1411  
Textphone: 020 8891 7120



Tim Williams  
Firstplan  
Broadwall House  
21 Broadwall  
London  
SE1 9PL

Letter Printed 20 December 2022

**FOR DECISION DATED**  
20 December 2022

Dear Sir/Madam

**The Town and Country Planning Act 1990, (as amended)**  
**Decision Notice**

**Application:** 22/2962/FUL  
**Your ref:** Westminster House - Ext works...  
**Our ref:** DC/KEM/22/2962/FUL/FUL  
**Applicant:**  
**Agent:** Tim Williams

**WHEREAS** in accordance with the provisions of the Town and Country Planning Act 1990 and the orders made thereunder, you have made an application received on **3 October 2022** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

**Westminster House Kew Road Richmond TW9 2ND**

for

**Creation of a shopfront and access, elevational alterations, installation of louvres and associated works at basement and ground floor levels**

NOW THEREFORE WE THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES acting by the Council of the said Borough, the Local Planning Authority HEREBY GIVE YOU NOTICE pursuant to the said Act and the Orders made thereunder that permission to develop the said land in accordance with the said application is hereby **GRANTED** subject to the conditions and informatives summarised and listed on the attached schedule.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Angus', with a long horizontal flourish extending to the right.

Robert Angus  
Head of Development Management



# SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION 22/2962/FUL

## APPLICANT NAME

C/O Firstplan Ltd (Agent)  
London  
SE1 9PL

## AGENT NAME

Tim Williams  
Broadwall House  
21 Broadwall  
London  
SE1 9PL

## SITE

Westminster House Kew Road Richmond TW9 2ND

## PROPOSAL

Creation of a shopfront and access, elevational alterations, installation of louvres and associated works at basement and ground floor levels

## SUMMARY OF CONDITIONS AND INFORMATIVES

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### CONDITIONS

U0143073	Approved Drawings
U0143074	Development Begun Within 3 Years
U0143075	Non-road mobile machinery
U0143076	Fire Safety
U0143080	Mechanical Services Noise Control
DV30	Refuse storage
U0143078	Dustbin enclosure required
U0143079	Materials as submitted
U0143077	Cycle parking

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### INFORMATIVES

U0071078	Composite Informative
U0071079	NPPF APPROVAL - Para. 38-42
U0071198	Network Rail
IM10	Street numbers- shops
U0071225	Advertisement Consent
IL24	CIL liable
U0071197	Hoarding license

# DETAILED CONDITIONS AND INFORMATIVES

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## DETAILED CONDITIONS

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### **U0143073      Approved Drawings**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable:

P22-058\_CGL-Z1-00-GA-A-PL0XX1 - Site Location Plan  
P22-058\_CGL-Z1-00-GA-A-PL0XX2 - Block Plan  
P22-058\_CGL-Z1-00-GA-A-XX0001 - Existing Lower Floor Plans  
P22-058\_CGL-Z1-00-GA-A-XX0002 - Existing Upper Floor Plans  
P22-058\_CGL-Z1-00-GA-A-XX0003 - Existing Elevations  
P22-058\_CGL-Z1-00-GA-A-XX0004 - Existing Sections  
P22-058\_CGL-Z1-00-GA-A-PL0001 Rev B - Proposed Basement and Ground Floor Plans  
P22-058\_CGL-Z1-00-GA-A-PL0003 Rev A - Proposed Elevations  
P22-058\_CGL-Z1-00-GA-A-PL0004 Rev A - Proposed Sections

Received on 3 October 2022.

REASON: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.

### **U0143074      Development Begun Within 3 Years**

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

### **U0143075      Non-road mobile machinery**

During onsite construction of any phase of development, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to meet Stage IIIB of EU Directive 97/68/E and be NRMM registered. Such vehicles must be run on ultra low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel').

"Ultra low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied when reasonable. Exemptions to these standards may be granted for specialist equipment or for equipment with alternative emission reduction equipment or run on alternative fuels. Such exemptions shall be applied for in writing to the local planning authority in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been issued by the local planning authority.

No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

Reason: To protect the amenity of future occupants and/or neighbours

### **U0143076      Fire Safety**

The development must be carried out in accordance with the provisions of the Fire Safety Statement prepared by Solas Realta Fire Engineering dated September 2022 and retained as such thereafter.

REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.

**U0143080 Mechanical Services Noise Control**

The plant hereby permitted shall be installed in strict accordance with the details provided in the acoustic report submitted by Han Tucker Associates reference 26189/NIA/Rev2. The plant shall thereafter be retained as approved. The plant shall not be used unless the equipment is installed in compliance with these details.

REASON

**DV30 Refuse storage**

No refuse or waste material of any description shall be left or stored anywhere on the site other than within a building or refuse enclosure.

REASON: To safeguard the appearance of the property and the amenities of the area.

**U0143078 Dustbin enclosure required**

None of the buildings hereby approved shall be occupied until the dustbin enclosure has been provided in accordance with details shown on drawing PL0001 Rev B unless otherwise agreed in writing with the local planning authority.

REASON: To safeguard the appearance of the property and the amenities of the area.

**U0143079 Materials as submitted**

No new external finishes (including fenestration), including works of making good, shall be carried out other than in materials as submitted.

REASON: To ensure that the proposed development is in keeping with the existing building(s) and does not prejudice the appearance of the locality.

**U0143077 Cycle parking**

No building/dwelling/part of the development shall be occupied until cycle parking facilities have been provided in accordance with details shown on drawing PL0001 Rev B unless otherwise agreed in writing with the local planning authority.

REASON: To accord with this Council's policy to discourage the use of the car wherever possible.

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**DETAILED INFORMATIVES**

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**U0071078 Composite Informative**

**Reason for granting:**

The proposal has been considered in the light of the Development Plan, comments from statutory consultees and third parties (where relevant) and compliance with Supplementary Planning Guidance as appropriate. It has been concluded that there is not a demonstrable harm to interests of acknowledged importance caused by the development that justifies withholding planning permission.

**Principal Policies:**

Where relevant, the following have been taken into account in the consideration of this proposal:-

London Plan Policies:

SD6 Town Centres and high streets  
D4 Delivering good design  
D12 Fire Safety  
HC1 Heritage conservation and growth

Local Plan Policies:  
Local Character and Design Quality  
Impact on Designated Heritage Assets  
Impact on Non-Designated Heritage Assets  
Impact on Amenity and Living Conditions  
Impact on Flood Risk and Sustainable Drainage  
Retail Frontages  
Sustainable Travel Choices  
Parking Standards and Servicing

Supplementary Planning Guidance:  
Buildings of Townscape Merit  
Transport  
Shopfronts

**Building Regulations:**

The applicant is advised that the erection of new buildings or alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made. For application forms and advice please contact the Building Control department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411). If you alter your proposals in any way, including to comply with the Building Regulations, a further planning application may be required. If you wish to deviate in any way from the proposals shown on the approved drawings you should contact the Development Management department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411).

**Damage to the public highway:**

Care should be taken to ensure that no damage is caused to the public highway adjacent to the site during demolition and (or) construction. The Council will seek to recover any expenses incurred in repairing or making good such damage from the owner of the land in question or the person causing or responsible for the damage.

BEFORE ANY WORK COMMENCES you MUST contact the London Borough of Richmond upon Thames, 44 York Street, Twickenham TW1 3BZ, Telephone 020 8891 1411 to arrange a pre-commencement photographic survey of the public highways adjacent to and within the vicinity of the site. The precondition survey will ensure you are not charged for any damage which existed prior to commencement of your works.

If you fail to contact us to arrange a pre commencement survey then it will be assumed that any damage to the highway was caused by your activities and you will be charged the full cost of repair.

Once the site works are completed you need to contact us again to arrange for a post construction inspection to be carried out. If there is no further damage then the case will be closed. If damage or further damage is found to have occurred then you will be asked to pay for repairs to be carried out.

**Noise control - Building sites:**

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise and vibration on construction and demolition sites. Application, under section 61 of the Act for prior consent to the works, can be made to the Environmental Health department.

Under the Act the Council has certain powers to control noise from construction sites. Typically the council will limit the times during which sites are permitted to make noise that their neighbours can hear.

For general construction works the Council usually imposes (when necessary) the following limits on noisy works:-

Monday to Friday 8am to 6pm

Saturdays 8am to 1pm

Sundays and Public Holidays - No noisy activities allowed

Applicants should also be aware of the guidance contained in British Standard BS 5228-1:2009+A1:2014 - Noise and vibration control on construction and open sites.

Any enquiries for further information should be made to the Noise & Nuisance Team, Regulatory Services Partnership [NoiseandNuisance@merton.gov.uk](mailto:NoiseandNuisance@merton.gov.uk).

### **U0071079 NPPF APPROVAL - Para. 38-42**

In accordance with paragraphs 38-42 of the National Planning Policy Framework, Richmond upon Thames Borough Council takes a positive and proactive approach to the delivery of sustainable development, by:

- o Providing a formal pre-application service
- o Providing written policies and guidance, all of which is available to view on the Council's website
- o Where appropriate, negotiating amendments to secure a positive decision
- o Determining applications in a timely manner.

In this instance:

- o The application was acceptable as submitted, and approved without delay.

### **U0071198 Network Rail**

Due to the close proximity of the proposed works to Network Rail's land and the operational railway, Network Rail requests the applicant/developer contacts Network Rail's Asset Protection and Optimisation (ASPRO) team via [AssetProtectionWessex@networkrail.co.uk](mailto:AssetProtectionWessex@networkrail.co.uk). The ASPRO team will review the details of the works to ensure that they can be delivered without any risk to the railway. The applicant/developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can be obtained from the Network Rail website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

As well as contacting Network Rail's ASPRO Team, the applicant/developer must also follow the Asset Protection informatives.

### **IM10 Street numbers- shops**

Your attention is drawn to the provisions contained within the London Building Acts (Amendment) Act 1939, which requires the display of the street number of the premises on its frontage. The correct street number uniquely identifies the property and, properly displayed, allows it to be speedily located in an emergency. Failure to comply with this requirement may lead to enforcement action being taken by the Council which could result in a maximum fine of £500. If you wish to name or number a new development, sub-divide an existing property, or change the name or number(s) of an existing property or development, you will need to apply to the London Borough of Richmond Upon Thames. Further details of this process, fees, and the necessary information and forms that need to be submitted can be found on the Council's website [http://www.richmond.gov.uk/street\\_numbering\\_and\\_naming](http://www.richmond.gov.uk/street_numbering_and_naming). Alternately you may

contact Peter Cridland, Address Management Manager (020 8891 7889  
peter.cridland@richmond.gov.uk).

**U0071225     Advertisement Consent**

**IL24     CIL liable**

The applicant is advised that this permission results in a chargeable scheme under the Borough's and the Mayor of London's Community Infrastructure Levy.

**U0071197     Hoarding license**

A hoarding licence from the Borough's Highway Inspection and Enforcement team may be required and you are advised to contact LBRuT's Transport Team as the guardians of Lower Mortlake Road, for any licences e.g. to put a conveyor system over the highway and to place signage.

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION  
22/2962/FUL

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# **FUL Applications**

## **Making an Appeal – Summary Guidance**

### **Whether to appeal**

If the Local Planning Authority (LPA) turn down your application, you should look carefully at the reasons why they turned it down before you make an appeal. You should speak to the LPA to see if you can sort out the problem - perhaps by changing your proposal. An appeal should only ever be a last resort.

### **Type of appeal:**

Planning Application

### **Appeal time:**

Within six months of the date of the council's decision letter.

### **Who can appeal?**

The applicant or their agent may lodge an appeal.

### **The right of appeal:**

You can appeal against the council's decision:

- If you applied to the Local Planning Authority and they:
  - Refused permission;
  - Gave permission but with conditions you think are inappropriate;
  - Haven't approved the details of a scheme which they or the Secretary of State have already given outline planning permission for or;
  - Have approved the details of a scheme but with conditions you think are inappropriate or unreasonable.
  
- If the LPA rejected a proposal arising from a condition or limitation on a planning permission.
- If the LPA don't decide your application within the time allowed. Normally the time allowed is eight weeks from when they accept your application.
- If the LPA told you they needed more information before they could decide your outline planning application, but you do not want to supply this.

You will make your appeal to the Department for Communities and Local Government of which the Planning Inspectorate is a part. Most are decided by specialist officers in the Planning Inspectorate. Only the person or business applying for consent to display an advertisement may appeal. If the council issues a discontinuance notice, only those on whom the notice is served may appeal.

### **The appeal process:**

Appeals must be made

- Online at [www.planninginspectorate.gov.uk](http://www.planninginspectorate.gov.uk), or
- Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

It will be expected that all appeal documentation will be submitted electronically.

The process is fully documented on the website of the Planning Inspectorate [www.planninginspectorate.gov.uk](http://www.planninginspectorate.gov.uk), however in summary there are three main types of appeal:

#### **Written procedure:**

Written evidence is considered from the applicant/agent/business and the council. The council will send copies of any letters of objection or support they received when considering your application. Within six weeks of the Inspectorate receiving your appeal forms the council will send a copy of their statement to the Inspectorate. You must make any comment on these within three weeks.

**Hearing procedure:**

Hearings allow you and the council to exchange views and discuss your appeal. Before the hearing the council will send a copy of their statement to you and the Inspectorate. You can comment on their statement in writing otherwise the Inspectorate will treat the reasons given in your appeal form as the basis of your case for discussion.

Hearings are usually held in council offices. The Inspector leads the discussion and invites the people involved to put their points across. The Inspector will visit the site unaccompanied before the hearing and will make a further accompanied visit as part of the hearing.

**Inquiry procedure:**

Inquiries are normally for large-scale applications. A public inquiry is a formal procedure in which both parties have legal representation.

**Making your views known on someone else's appeal:**

The LPA will notify anyone who took part in the consultations when you first applied for permission that you are appealing. For appeals decided by hearing or inquiry the LPA will tell interested people when and where this will be and let them know that they can attend. The Inspectorate will also take account of the views of certain groups who have a right to comment, for example, owners of a site, local amenity groups and so on.

**Costs:**

Normally you and the council will pay for your own expenses in an appeal. You can only claim costs when you can show that the council have behaved in an unreasonable way causing unnecessary expense.

**Who to contact?**

The Planning Inspectorate

Website [www.planninginspectorate.gov.uk](http://www.planninginspectorate.gov.uk)

Email [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

Telephone 0303 444 5000

Write to Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN

London Borough of Richmond upon Thames

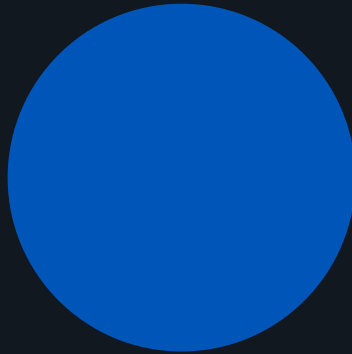
Website [www.richmond.gov.uk/planning](http://www.richmond.gov.uk/planning)

Email [planningappeals@richmond.gov.uk](mailto:planningappeals@richmond.gov.uk)

Telephone 020 8891 1411 for advice

Write to The Appeals Officer, Development Control, Civic Centre, 44 York Street, Twickenham TW1 3BZ





**Firstplan Ltd**  
Broadwall House  
21 Broadwall  
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SE1 9PL

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