

## Application reference: 24/0210/FUL TWICKENHAM RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
26.01.2024	08.02.2024	04.04.2024	04.04.2024

**Site:**

376 Richmond Road, Twickenham, TW1 2DX,

**Proposal:**

Application for the retention of shop front.

**APPLICANT NAME**

Mr Noman  
376 Richmond Road  
Twickenham  
TW1 2DX

**AGENT NAME**

Mr Abdul Wajid  
46 Bowyer Drive  
Slough  
SL1 5EG

**DC Site Notice:** printed on 08.02.2024 and posted on 16.02.2024 and due to expire on 08.03.2024

**Consultations:**

**Internal/External:**

**Consultee**

14D Urban D

**Expiry Date**

22.02.2024

**Neighbours:**

381A Richmond Road, Twickenham, TW1 2EF, - 08.02.2024  
 378 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 374E Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 374A Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 2 Morley Road, Twickenham, TW1 2HF, - 08.02.2024  
 379 Richmond Road, Twickenham, TW1 2EF, - 08.02.2024  
 381B Richmond Road, Twickenham, TW1 2EF - 08.02.2024  
 10 Merlin Court, 378 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 9 Merlin Court, 378 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 8 Merlin Court, 378 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 7 Merlin Court, 378 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 6 Merlin Court, 378 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 5 Merlin Court, 378 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 4 Merlin Court, 378 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 3 Merlin Court, 378 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 2 Merlin Court, 378 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 1 Merlin Court, 378 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 374 Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 381 Richmond Road, Twickenham, TW1 2EF, - 08.02.2024  
 379A Richmond Road, Twickenham, TW1 2EF, - 08.02.2024  
 374D Richmond Road, Twickenham, TW1 2DX, - 08.02.2024  
 374C Richmond Road, Twickenham, TW1 2DX - 08.02.2024  
 374B Richmond Road, Twickenham, TW1 2DX - 08.02.2024

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

Development Management

Status: GTD

Application: 01/0749

Date: 30/08/2001

Ground Floor Rear Extension.

Development Management

Status: REF

Application: 01/0821

Date:02/08/2001	Ground Floor Change Of Use To Class A3.
<u>Development Management</u>	
Status: GTD	Application:03/2377
Date:04/12/2003	Proposed Replacement Of Shop Front.
<u>Development Management</u>	
Status: GTD	Application:89/1763/FUL
Date:31/10/1989	Single Storey Rear Extension For Storage Use.
<u>Development Management</u>	
Status: REF	Application:89/2458/FUL
Date:30/01/1990	Change Of Use Of Ground Floor From Retail Use To Restaurant Use.
<u>Development Management</u>	
Status: REF	Application:92/0185/FUL
Date:06/05/1992	Rear Extension And Change Of Use Of Part Of Premises To Provide Cafe/sandwich Bar In Support Of Main Retail Use.
<u>Development Management</u>	
Status: REF	Application:98/0004
Date:20/04/1998	Change Of Use Of Entire Premises To A3 Restaurant.
<u>Development Management</u>	
Status: WDN	Application:98/2867
Date:02/03/1999	Single Storey Rear Extension And Change Of Use From Class A1 Shop To Class A3 Restaurant With Ancillary Take-away (ground Floor).
<u>Development Management</u>	
Status: GTD	Application:47/1184
Date:29/11/1949	The provision of a new shop front.
<u>Development Management</u>	
Status: GTD	Application:64/1215
Date:22/12/1964	Alterations to shopfront.
<u>Development Management</u>	
Status: REF	Application:76/0917
Date:03/11/1976	Use of first floor accommodation for office purposes.
<u>Development Management</u>	
Status: GTD	Application:06/3961/COU
Date:15/06/2007	Retention of use from A1(retail) to mixed use A1(retail), A3 (restaurants and cafes). Alteration to shop front entrance,
<u>Development Management</u>	
Status: GTD	Application:08/0523/FUL
Date:29/04/2008	To alter condition U15291 to relax the opening hours during Monday-Saturday inclusive before 8am and after 6pm. The proposed hours of opening is 8am to 8pm Monday - Sunday inclusive.
<u>Development Management</u>	
Status: GTD	Application:10/1873/VRC
Date:20/08/2010	Application for variation of condition U15529 (Benefit of applicant occupying) on planning permission 06/3961/COU from Mr George Haririan to Mr Fernando Perna
<u>Development Management</u>	
Status: PDE	Application:24/0210/FUL
Date:	Application for the retention of shop front.
<u>Appeal</u>	
Validation Date: 11.10.2001	Development Appeal
Reference: 01/0821	
<u>Appeal</u>	
Validation Date: 16.10.1998	Development Appeal
Reference: 98/0004	
<u>Appeal</u>	
Validation Date: 18.10.1990	Change Of Use Of Ground Floor From Retail Use To Restaurant Use.
Reference: 20/0070/AP/REF	
<u>Building Control</u>	
Deposit Date: 03.02.1992	Single storey rear extension
Reference: 92/0029/1/FP	

Building Control

Deposit Date: 06.05.2022      Creation of new access to meter room

Reference: 22/0791/IN

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Building Control

Deposit Date: 05.09.2022      Raised Floor & New Shop Front, Repair Existing Fire Separation Wall  
Between Commercial & Residential Unit After Water Damage

Reference: 22/1579/IN

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Enforcement

Opened Date: 21.04.2004      Enforcement Enquiry

Reference: 04/00163/EN

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Enforcement

Opened Date: 24.09.1997      Enforcement Enquiry

Reference: 94/00004/EN

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Enforcement

Opened Date: 03.06.2010      Enforcement Enquiry

Reference: 10/0272/EN/BCN

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Enforcement

Opened Date: 16.07.2018      Enforcement Enquiry

Reference: 94/00003/EN

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Enforcement

Opened Date: 17.03.2020      Enforcement Enquiry

Reference: 20/0112/EN/ADV

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Enforcement

Opened Date: 11.12.2023      Enforcement Enquiry

Reference: 23/0563/EN/UBW

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<b>Application Number</b>	<b>24/0210/FUL</b>
<b>Address</b>	<b>376 Richmond Road, Twickenham, TW1 2DX</b>
<b>Proposal</b>	<b>Application for the retention of shop front.</b>
<b>Contact Officer</b>	<b>Kerry McLaughlin</b>

## 1. INTRODUCTION

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

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

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

## 2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The proposal property is ground floor commercial unit, within a terrace row of properties, located on the southern side of Richmond Road.

The application site is subject to the following planning constraints:

Area Benefiting Flood Defence - Environment Agency.	Areas Benefiting from Defences
Area of Mixed Use	East Twickenham
Area Susceptible to Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 50% <75% - SSA Pool ID: 310
Article 4 Direction A1 to A2	Restricting A1 To A2 - Richmond Road 01/04/17 / Ref: ART4/A1TOA2/009 / Effective from: 01/04/2017
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Article 4 Direction Class E (Town Centre) to Class C3 (Residential)	Modified Article 4 Direction Class E (Town Centre) to Class C3 (Residential). Came into effect 29 July 2022.
Conservation Area	CA66 Richmond Road East Twickenham
Floodzone 2	Fluvial / Tidal Models
Floodzone 3	Tidal Models
Increased Potential Elevated Groundwater	GLA Drain London
Key Shop Frontage	344-380 RICHMOND RD
Protected View	VIEW 23 FROM TERRACE GARDEN TO SW TWCIK
Protected View (Indicative Zone)	N_View_004 View from near Ham House to Orleans House
SFRA Zone 3a High Probability	Flood Zone 3
Village	St Margarets and East Twickenham Village
Village Character Area	Richmond Road - Area 4 & Conservation Area 66 East Twickenham Village Planning Guidance Page 22 CHARAREA08/04/01
Ward	Twickenham Riverside Ward

## 3. RELEVANT PLANNING HISTORY

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

There is no relevant planning history associated with the site.

## 4. CONSULTATIONS CARRIED OUT

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

No letters of representation have been received.

## 5. AMENDMENTS

None.

## 6. MAIN POLICIES RELEVANT TO THE DECISION

### NPPF (2023)

The key chapters applying to the site are:

- 4 - Decision-making
- 7 - Ensuring the vitality of town centres
- 12 - Achieving well-designed places
- 14 - Meeting the challenge of climate change, flooding and coastal change
- 16 - Conserving and enhancing the historic environment

These policies can be found at:

[https://assets.publishing.service.gov.uk/media/65819679fc07f3000d8d4495/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65819679fc07f3000d8d4495/NPPF_December_2023.pdf)

### London Plan (2021)

The main policies applying to the site are:

- D4 - Delivering good design
- D12 - Fire Safety
- E9 - Retail, markets and hot food takeaways
- HC1 - Heritage conservation and growth
- SD6 - Town centres and high streets
- SI12 - Flood risk management

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

### Richmond Local Plan (2018)

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

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1	Yes	No
Designated Heritage Assets	LP3	Yes	No
Views and Vistas	LP5	Yes	No
Amenity and Living Conditions	LP8	Yes	No
Flood Risk and Sustainable Drainage	LP21	Yes	No
Retail Frontages	LP25, LP26	Yes	No

These policies can be found at

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

### Richmond Publication Local Plan (Regulation 19 version)

The Richmond Publication Version Local Plan (Regulation 19 version) and its supporting documents, including all the Regulation 18 representations received, was considered at Full Council on 27 April. Approval was given to consult on the Regulation 19 Plan and, further, to submit the Local Plan to the Secretary of State for Examination in due course.

The Publication Version Local Plan, including its accompanying documents, have been published for consultation on 9 June 2023. Together with the evidence, the Plan is a material consideration for the purposes of decision-making on planning applications.

The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Note that it was agreed by Full Council that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95 will continue to be used; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement; all other aspects and requirements of these policies will apply.

Overall, the weight afforded to each policy at this stage will differ depending on the nature of representations received to that policy. Where relevant to the application under consideration, this is addressed in more detail in the assessment below.

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Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP28	Yes	No
Designated Heritage Assets	LP29	Yes	No
Views and Vistas	LP31	Yes	No
Amenity and Living Conditions	LP46	Yes	No
Flood Risk and Sustainable Drainage	LP8	Yes	No
Retail Frontages	LP18	Yes	No

These policies can be found at [https://www.richmond.gov.uk/draft\\_local\\_plan\\_publication\\_version](https://www.richmond.gov.uk/draft_local_plan_publication_version)

### Supplementary Planning Documents

Shop Fronts

St Margarets and East Twickenham Village Plan

These policies can be found at:

[https://www.richmond.gov.uk/services/planning/planning\\_policy/local\\_plan/supplementary\\_planning\\_documents\\_and\\_guidance](https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance)

### Other Local Strategies or Publications

Other strategies or publications material to the proposal are:

CA66 Richmond Road East Twickenham Conservation Area Statement

CA66 Richmond Road East Twickenham Conservation Area Study

### Determining applications in a Conservation Area

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

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

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

## 7. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design/Visual Amenity
- ii Neighbour Amenity
- iii Protected Views
- iv Flood Risk

### Issue i - Design/Visual Amenity

*Policy LP1 of the Local Plan seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area.*

*Policy LP3 of the Local Plan 2018 covers Designated Heritage Assets and states that proposal should conserve and take opportunity to make positive contribution to the historic environment such as retaining and preserving the original structure, layout, architectural features and materials or reinstatement of heritage*

*assets. Appropriate materials and techniques should be used. There is a requirement to seek to avoid harm or justify for loss and demolition will be resisted. The significant of the asset is taken into consideration when assessing works proposed to a designate heritage asset.*

*The Shopfront SPD states that care should be given to respect the design of the building into which the shopfront is fitted and its neighbours. As a general rule, do:*

- retain and reuse existing high quality shopfronts, and replace poor quality with good new design,*
- use traditional materials,*
- use external illumination.*

376 Richmond Road is an early 20th century shop within the Richmond Road East Twickenham Conservation Area. It is three storeys in red brick with a slate mansard roof and large, gabled dormer. The pre-existing shopfront was of very poor quality with an aluminium frame and doors, and secondary fascia, although it retained the existing blind box beneath the original fascia. Above, the windows have retained the original glazing pattern of a nine-pane top sash and single-pane bottom sash. The architectural character and integrity of the shopfront has been largely diminished, although a few key original features were present, including the original blind box, corbels, and pilasters. The primary fascia is also of an appropriate size and likely in the original position.

No.376 forms part of a long parade of shops along the southern side of Richmond Road, all built to the same design. The quality and design of shopfronts varies considerably, from a handful of original shopfronts (e.g.370) to non-original shopfronts in a traditional style (e.g.366) to unsympathetic modern shopfronts with few or no original features retained. The Conservation Area Statement (CAS) identifies the loss of original shopfronts as a 'problem and pressure' and encourages the retention of historic shopfronts and improvement in quality of shopfronts.

More widely, the significance of the Conservation Area is defined as being an area of good, cohesive Edwardian commercial development which has a distinct visual and physical identity from the surrounding development of East Twickenham. It forms an important approach towards Richmond Bridge from Twickenham.

This application is a retrospective application for the removal of the pre-existing shopfront an insertion of a new shopfront. The works have removed elements including the secondary fascia and original blind box, with the new shopfront wholly glazed apart from a shallow stallriser.

The pre-existing shopfront was of no historic or architectural importance and made no contribution to the Conservation Area. The loss of the original blind box is regrettable as this was one of the last remaining original features of the shopfront. The new shopfront has a very simple design, being almost wholly glazed in a modern aesthetic. Within the Conservation Area there are similar examples, at nos.380 and 332 which present a similar contemporary style shopfront. As the new shopfront is replacing a pre-existing shopfront which was similarly of limited architectural interest, it is considered that overall, the new shopfront has had a neutral impact on the unit itself and wider character and appearance of the Conservation Area.

This application is in accordance with policies LP1 and LP3. It also conforms to paragraph 205 of the NPPF (2023).

#### **Issue ii - Neighbour Amenity**

*Policy LP8 requires all development to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. This includes ensuring adequate light is achieved, preserving privacy and ensuring proposals are not visually intrusive.*

Given the nature of the works, there would be no impact on the amenities of neighbouring occupiers. The proposal satisfied Policy LP 8 of the Local Plan.

#### **Issue iii - Protected Views**

*Policy LP5 of the local plan states 'The council will protect the quality of the views, vistas, gaps and the skyline, all of which contribute significantly to the character, distinctiveness and quality of the local and wider area'.*

Due to the nature, this proposal will have a neutral impact on the 'View 23 - from Terrace Garden to SW Twickenham' and 'View 004 - from near Ham house to Orleans House' protected views. Therefore, the scheme is compliant with the aims and objectives of LP5 of the Local Plan, 2018.

#### **Issue iv - Flood Risk**

*Policy LP21 of the Local Plan states 'All developments should avoid or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere.*

The application site is situated within flood risk zones 2, 3 & 3a.

This application relates to façade alterations only, the proposal does not seek to alter the ground floor area of the existing dwelling in any way. Therefore, no increase in flood risk is anticipated and the proposal is consistent with LP21.

**Fire Safety**

The applicant has submitted a 'Planning Fire Safety Strategy' to address policy D12 of the London Plan (2021).

The applicant is advised that 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.

**8. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS**

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

On initial assessment this development is not considered liable for the Mayoral or Richmond CIL however this is subject to confirmation by the CIL Administration Team.

**9. RECOMMENDATION**

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

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

**Grant planning permission with conditions**

**Recommendation:**

The determination of this application falls within the scope of Officer delegated powers - YES / ~~NO~~

**I therefore recommend the following:**

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

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

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

This application has representations online  YES  NO

This application has representations on file  YES  NO

Case Officer (Initials): KM

Dated: 11.03.2024

**I agree the recommendation:**



Official

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

Dated: ...13/03/2024.....

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

Head of Development Management: .....

Dated: .....