



PLANNING REPORT

Printed for officer on 28 August 2024

Application reference: 24/1719/VRC
KEW WARD

Date application received	Date made valid	Target report date	8 Week date
08.07.2024	08.07.2024	02.09.2024	02.09.2024

Site:

63 Sandycombe Road, Richmond, TW9 2EP,

Proposal:

(Partial retrospective) Variation of condition U0102202 - Approved Drawings and BD13A - Materials to match existing be app'd, of planning permission 20/3707/FUL to omit annotated reference to materials on plan and amend wording of materials condition to materials in accordance with the submitted details and to remove canopies over doors to the front and rear elevations.

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

APPLICANT NAME

Mr Nick Sait
 1 Caversham Road
 Kingston Upon Thames
 Surrey
 KT1 2PU
 UK

AGENT NAME

DC Site Notice: printed on and posted on and due to expire on

Consultations:

Internal/External:

Consultee
 14D Urban D

Expiry Date
 26.07.2024

Neighbours:

- 55 Raleigh Road, Richmond, TW9 2DU, - 12.07.2024
- ,, TW9 2EP - 12.07.2024
- 28 North Road, Kew, Richmond, TW9 4HA, - 12.07.2024
- 57 Ennerdale Road, Richmond, TW9 2DN, - 12.07.2024
- 91 Sandycombe Road, Richmond, TW9 2EP, - 12.07.2024
- 36 Dudley Road, Richmond, TW9 2EH, - 12.07.2024
- 41 Gainsborough Road, Richmond, TW9 2DZ, - 12.07.2024
- 13 Ruskin Avenue, Kew, Richmond, TW9 4DR, - 12.07.2024
- 77 Sandycombe Rd, Kew, Richmond, TW9 2EP - 12.07.2024
- 4 Temple Road, Richmond, TW9 2ED, - 12.07.2024
- 46 Third Cross Road, Twickenham, TW2 5DU, - 12.07.2024
- 93 Sandycombe Road, Richmond, TW9 2EP, - 12.07.2024
- 9 North Road, Kew, Richmond, TW9 4HA, - 12.07.2024
- 93A, QUEENSTOWN ROAD, LONDON, SW8 3RQ - 12.07.2024
- 66 TREVELYAN ROAD, LONDON, SW17 9LN - 12.07.2024

10 DAHOMEY ROAD,LONDON,SW16 6ND - 12.07.2024
KENILWORTH COURT,LOWER RICHMOND ROAD,LONDON,SW15 1HA - 12.07.2024
30 Sandycombe Road,Richmond,TW9 2DY, - 12.07.2024
340 Kew Road,Kew,Richmond,TW9 3DU, - 12.07.2024
348 Kew Road,Kew,TW9 3DU - 12.07.2024
55 Raleigh Road,Richmond,TW9 2DU, - 12.07.2024
73 Raleigh Road,Richmond,TW9 2DU, - 12.07.2024
95 Sandycombe Road,Richmond,TW9 2EP, - 12.07.2024
39 Raleigh Road,Richmond,TW9 2DU, - 12.07.2024
7 Temple Road,Richmond,TW9 2EB, - 12.07.2024
41 Raleigh Road,Richmond,TW9 2DU, - 12.07.2024
57 Raleigh Road,Richmond,TW9 2DU, - 12.07.2024
44A Sandycombe Road,Richmond,TW9 2DY, - 12.07.2024
50 Sandycombe Road,Richmond,TW9 2DY, - 12.07.2024
48 Sandycombe Road,Richmond,TW9 2DY, - 12.07.2024
46 Sandycombe Road,Richmond,TW9 2DY, - 12.07.2024
52 Sandycombe Road,Richmond,TW9 2DY, - 12.07.2024
44 Sandycombe Road,Richmond,TW9 2DY, - 12.07.2024
42 Sandycombe Road,Richmond,TW9 2DY, - 12.07.2024
Unit 2,11 Sandycombe Road,Richmond,TW9 2EP, - 12.07.2024
Unit 1,11 Sandycombe Road,Richmond,TW9 2EP, - 12.07.2024
32 North Road,Kew,Richmond,TW9 4HA, - 12.07.2024
32A North Road,Kew,Richmond,TW9 4HA, - 12.07.2024
1 Chilton Road,Richmond,TW9 4JD, - 12.07.2024
2 Chilton Road,Richmond,TW9 4JB, - 12.07.2024
38 North Road,Kew,Richmond,TW9 4HA, - 12.07.2024
37 North Road,Kew,Richmond,TW9 4HA, - 12.07.2024
36 North Road,Kew,Richmond,TW9 4HA, - 12.07.2024
35 North Road,Kew,Richmond,TW9 4HA, - 12.07.2024
34 North Road,Kew,Richmond,TW9 4HA, - 12.07.2024
33 North Road,Kew,Richmond,TW9 4HA, - 12.07.2024
Unit 23,Station Point,121 Sandycombe Road,Richmond,TW9 2AD, - 12.07.2024
Unit 22,Station Point,121 Sandycombe Road,Richmond,TW9 2AD, - 12.07.2024
Unit 21,Station Point,121 Sandycombe Road,Richmond,TW9 2AD, - 12.07.2024
Apartment 8,Station Point,121 Sandycombe Road,Richmond,TW9 2AD, - 12.07.2024
Apartment 7,Station Point,121 Sandycombe Road,Richmond,TW9 2AD, - 12.07.2024
Apartment 6,Station Point,121 Sandycombe Road,Richmond,TW9 2AD, - 12.07.2024
Apartment 5,Station Point,121 Sandycombe Road,Richmond,TW9 2AD, - 12.07.2024
Apartment 4,Station Point,121 Sandycombe Road,Richmond,TW9 2AD, - 12.07.2024
Apartment 3,Station Point,121 Sandycombe Road,Richmond,TW9 2AD, - 12.07.2024
Apartment 2,Station Point,121 Sandycombe Road,Richmond,TW9 2AD, - 12.07.2024
Apartment 1,Station Point,121 Sandycombe Road,Richmond,TW9 2AD, - 12.07.2024
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39 Sandycombe Road,Richmond,TW9 2EP, - 12.07.2024
63A Sandycombe Road,Richmond,TW9 2EP - 12.07.2024
89 Sandycombe Road,Richmond,TW9 2EP, - 12.07.2024
83 Sandycombe Road,Richmond,TW9 2EP, - 12.07.2024
79 Sandycombe Road,Richmond,TW9 2EP, - 12.07.2024
69 Sandycombe Road,Richmond,TW9 2EP, - 12.07.2024
87 Sandycombe Road,Richmond,TW9 2EP, - 12.07.2024
85 Sandycombe Road,Richmond,TW9 2EP, - 12.07.2024
81 Sandycombe Road,Richmond,TW9 2EP, - 12.07.2024

77 Sandycombe Road, Richmond, TW9 2EP, - 12.07.2024
 75 Sandycombe Road, Richmond, TW9 2EP, - 12.07.2024
 71 Sandycombe Road, Richmond, TW9 2EP, - 12.07.2024
 73 Sandycombe Road, Richmond, TW9 2EP, - 12.07.2024
 32 Alexandra Road, Kew, Richmond, TW9 2BS, - 12.07.2024
 92 Thompson Avenue, Richmond, TW9 4JN, - 12.07.2024
 288 Sandycombe Road, Richmond, TW9 3NG, - 12.07.2024
 67 Sandycombe Road, Richmond, TW9 2EP, - 12.07.2024
 59 Sandycombe Road, Richmond, TW9 2EP, - 12.07.2024
 65 Sandycombe Road, Richmond, TW9 2EP, - 12.07.2024
 61 Sandycombe Road, Richmond, TW9 2EP, - 12.07.2024
 75 Sandycombe Road, Richmond, TW9 2EP, - 12.07.2024

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

<p><u>Development Management</u> Status: GTD Date: 07/06/2022</p>	<p>Application: 20/2757/NMA1 Non-material amendment to planning permission 20/2757/VRC to allow for amendments to fenestration design to ground floor western elevation and insertion of new tilt window on ground floor northern elevation of north block</p>
<p><u>Development Management</u> Status: GTD Date: 23/12/2022</p>	<p>Application: 19/2753/SDD02 Written notification of first occupation date in accordance with clause 4(ii) of Part IV (Notifications) of Schedule 1 of Legal Agreement dated 17 February 2020.</p>
<p><u>Development Management</u> Status: REF Date: 03/04/2024</p>	<p>Application: 24/0248/VRC Variation of condition BD13A - Materials to match existing be app'd, of planning permission 20/3707/FUL to materials to match existing unless otherwise indicated to allow a change from brickwork to render.</p>
<p><u>Development Management</u> Status: REF Date: 27/06/2024</p>	<p>Application: 24/1124/VRC (retrospective) Variation of condition BD13A - materials to match existing be app'd of planning permission 20/3707/FUL from materials to match existing to materials to match the wider terrace row to allow a change from brickwork to render and to approve the use of UPVC sliding sash windows and metal cottage style door</p>
<p><u>Development Management</u> Status: PDE Date:</p>	<p>Application: 24/1719/VRC (Partial retrospective) Variation of condition U0102202 - Approved Drawings and BD13A - Materials to match existing be app'd, of planning permission 20/3707/FUL to omit annotated reference to materials on plan and amend wording of materials condition to materials in accordance with the submitted details and to remove canopies over doors to the front and rear elevations.</p>

Building Control
 Deposit Date: 15.08.2023 Install a gas-fired boiler
 Reference: 23/FEN02614/GASAFE

Enforcement
 Opened Date: 25.04.2022 Enforcement Enquiry
 Reference: 22/0185/EN/BCN

Enforcement

Opened Date: 02.05.2023 Enforcement Enquiry

Reference: 23/0197/EN/BCN

Enforcement

Opened Date: 21.12.2023 Enforcement Enquiry

Reference: 23/0583/EN/NAP

Application Number	24/1719/VRC
Address	63 Sandycombe Road, Richmond, TW9 2EP
Proposal	(Partial retrospective) Variation of condition U0102202 - Approved Drawings and BD13A - Materials to match existing be app'd, of planning permission 20/3707/FUL to omit annotated reference to materials on plan and amend wording of materials condition to materials in accordance with the submitted details and to remove canopies over doors to the front and rear elevations.
Legal Agreement	NO

1. INTRODUCTION

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

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

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

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The subject site formerly comprised a terrace property, which was demolished as part of application 19/2753/FUL and a replacement dwelling approved under 20/3707/FUL. The dwelling has been built out and is 2 storey in height with an undercroft providing access to the development to the rear.

Relevant site designations:

- Article 4 Direction - Basements
- Land in past industrial use
- Kew Village
- Character Area 7 of the Kew Village Planning Guidance.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

(Partial retrospective) Variation of condition U0102202 - Approved Drawings and BD13A - Materials to match existing be app'd, of planning permission 20/3707/FUL to omit annotated reference to materials on plan and amend wording of materials condition to materials in accordance with the submitted details and to remove canopies over doors to the front and rear elevations.

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

24/1124/VRC - (retrospective) Variation of condition BD13A - materials to match existing be app'd of

planning permission 20/3707/FUL from materials to match existing to materials to match the wider terrace row to allow a change from brickwork to render and to approve the use of UPVC sliding sash windows and metal cottage style door. Refused for the following reason:

- *The proposed render, by reason of its material, siting, extent and finish, is an incongruous addition which harms the appearance of the site and terrace row of which it forms a wider part. Therefore, the proposal is in conflict with the Local Plan (2018) in particular Policies LP1 and LP39, and Publication Local Plan policies 28 and 15.*

20/3707/DD01 – (Approved) Details pursuant to condition U0102203 - Details of PV Panels, U0102207 - External refuse store, and U0102211 - Construction Method Statement, of planning permission 20/3707/FUL.

(Refused) Details pursuant to condition BD13A - Materials to match exist'-be app'd of planning permission 20/3707/FUL. Refused for the following reason:

- *The proposed materials for the render, doors and windows do not match those previously existing on site or those on the approved drawings and so fail to fulfil the aims and objections of the condition. The proposed materials are therefore contrary to the Richmond Local Plan (2018) in particular policies LP1 and Policy 28 of the Publication Local Plan.*

24/0248/VRC - Variation of condition BD13A - Materials to match existing be app'd, of planning permission 20/3707/FUL to materials to match existing unless otherwise indicated to allow a change from brickwork to render. Refused for the following reason:

- *The proposed render, by reason of its material, siting, extent and finish, is an incongruous addition which harms the appearance of the site and terrace row of which it forms a wider part. Therefore, the proposal is in conflict with the Local Plan (2018) in particular Policies LP1 and LP39, and Publication Local Plan policies 28 and 15.*

20/3707/FUL – Erection of 1 x residential flat with associated access, cycle and bin store. Granted.

4. CONSULTATIONS CARRIED OUT

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

1 letters of objection have been received and the comments can be summarised as follows:

- Similar applications already rejected
- Not in character with the streetscape

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

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

These policies can be found at:

https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf

London Plan (2021)

The main policies applying to the site are:

D4 Delivering good design

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

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, LP39	Yes

These policies can be found at

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) was published on 9 June 2023 for public consultation which ended on 24 July 2023.

The Publication Version Local Plan, together with all the representations received during the representation period, the plan and its supporting documents were submitted to the Secretary of State for examination on 19 January 2024. The submission documents do not form part of the statutory development plan for the Borough, however, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the Publication Plan.

The Publication Version Local Plan, including its evidence base, are material considerations for decision-making. 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 Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below where it is relevant to the application.

Note that it was agreed by Full Council on 27 April, when the Publication Plan was approved, 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.

Where relevant to the application under consideration, this is addressed in more detail in the assessment below.

Issue	Publication Local Plan Policy	Compliance
Infill and Backland Development	15	Yes
Local character and design quality	28	Yes

Supplementary Planning Documents

Design Quality
House Extension and External Alterations
Village Plan – Kew

These policies can be found at:

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

6. EXPLANATION OF OFFICER RECOMMENDATION

It is recognised that a Variation of Condition (VRC) application re-issues a previous planning permission and so it can be necessary to assess the works as if it were a new application. Given the nature of the proposed amendments, the building being complete and the previous approval which remains a valid fallback position, it is only considered necessary to re-assess the following issues

based on the revised plans. All other matters considered under the original permission remain as previously assessed.

The application seeks to amend the following conditions:

Approved Plans

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

Drawings 9314/101 Rev B received on 29 April 2021

9314/100 Rev B received on 12 March 2021 (exclude gates)

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

The amendment to this condition seeks to omit the annotations regarding materials, and to omit the canopies above doors to the front and rear elevation.

Materials are assessed further in the relevant section below.

There is no objection to the removal of the canopies. While a streetscene review does show that some properties benefit from open and enclosed porches, there are also sufficient examples of front doors without this feature that the proposed omission would not appear harmful to the host dwelling or the character and appearance of the wider streetscene.

Materials

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

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

The application seeks to amend this condition from matching materials to materials to be in accordance with the details submitted within this application.

There is no in principle objection to the change to the wording of the condition from matching the application site to alternative materials to be approved by the LPA as it is recognised that in addition to the previously existing materials at the site, alternative materials could also be complementary and without harm to the host dwelling or the wider streetscene.

The application proposes the following materials:

- Windows: White UPVC
- Door: white metal cottage style door
- Walls
 - o Yellow stock brick
 - o White render to part of undercroft
- Roof
 - o Marley blue/black rivendale fibre cement slates
 - o Single ply roof membrane Siltec
- Rainwater goods: black UPVC

Windows

It is noted that UPVC windows were previously existing at ground floor level but that timber windows were present at first floor.

The streetscene review demonstrates that the most common material for windows in the streetscene is UPVC. The application site and neighbours are not subject to heritage designation such as Conservation Area or Building of Townscape Merit

While policy LP1 requires the use of high quality materials which are generally considered to be metal or timber, the applicant has sufficiently evidenced that the particular circumstances of the site in UPVC have been existing on the ground floor and UPVC being the most common material in the wider streetscene, justified that such a material would not be demonstrably harmful to the design, character and appearance of the wider area. Therefore, no objection is raised to the use of UPVC for the windows in this circumstance.

Doors

Under application 20/3707/DD01 it was noted that metal does not match the previously existing door which appears to have been timber. Under application 24/1124/VRC, it was noted that timber is preferable as an appropriate material for the location and building.

A review of the streetscene demonstrates the variety of doors within the same terrace row, both in regard to design, material and finish. The example photos provide evidence of similar design doors which are present in the locality and demonstrate the variety of colours present. Given this evidence, the proposed metal cottage style door in white is not considered harmful to the host dwelling or the wider streetscene.

Walls

Previous similar applications were refused due to the proposed use of render on the ground floor of the front elevation and within both sides of the undercroft. The refusal was due to render not matching the previously existing materials on site and due to render being uncharacteristic of the streetscene.

This application differs from those in that the use of render has been limited to the southern elevation of the undercroft with brick slips to the ground floor front elevation and to the north side of the undercroft.



The proposed yellow stock brick is considered acceptable as a streetscene review clarifies that brick is the most common materiality for walls in the streetscene. This ensures the materiality of the walls integrates well with the existing streetscene.

The use of white render to only 1 side of the undercroft is considered acceptable as it's limited extent is clearly subservient to the brick.

Roof

The proposed roof tiles are considered acceptable as they reflect the previously existing darker material of the roof which is also present in and so does not conflict with the wider terrace row.

The proposed single ply roof membrane for the flat roof to the rear is also considered acceptable as it integrates with other flat roof materials in the rear of this terrace row.

Rainwater Goods

There is no objection to the use of black UPVC for rainwater goods as this will integrate with other dark coloured rainwater goods in the streetscene.

Biodiversity Net Gain

Biodiversity net gain became mandatory for minor developments on applications made from 2nd April 2024. This application is exempt from mandatory biodiversity net gain on the grounds that the original planning permission to which this s73 application relates was exempt by virtue of it being made before 2nd April 2024

7. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS

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

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

8. RECOMMENDATION

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

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

Grant planning permission with conditions

Recommendation:

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

Case Officer (Initials):SG..... Dated:28/08/2024.....

I agree the recommendation:

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

South Area Team Manager:ND.....

Dated:28.08.2024.....