

Application reference: 24/1428/FUL NORTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
04.06.2024	08.07.2024	02.09.2024	02.09.2024

Site:

36B Rosedale Road, Richmond, TW9 2SX,

Proposal:

Replacement of part of existing front slate roof to office building with patent glazing, additional rooflight to flat roof, replacement external refuse door.

APPLICANT NAME

David Corbett
The Loft
2C Blake Mews
Kew Gardens
Richmond
Richmond Upon Thames
TW9 3GA

AGENT NAME

Alistair Grills
4 Chisholm Road
Richmond
TW10 6JH
United Kingdom

DC Site Notice: printed on 08.07.2024 and posted on 19.07.2024 and due to expire on 09.08.2024

Consultations:

Internal/External:

Consultee

14D Urban D

Expiry Date

22.07.2024

Neighbours:

2 Spring Mews, Richmond, TW9 2PY, - 08.07.2024
1 Spring Mews, Richmond, TW9 2PY, - 08.07.2024
Flat, 113 Kew Road, Richmond, TW9 2PN, - 08.07.2024
Flat, The Hope Of Richmond, 115 - 117 Kew Road, Richmond, TW9 2PN, - 08.07.2024
113 Kew Road, Richmond, TW9 2PN, - 08.07.2024
The Richmond Club, 115 - 117 Kew Road, Kew, Richmond, TW9 2PN, - 08.07.2024
36 Rosedale Road, Richmond, TW9 2SX, - 08.07.2024
43 Rosedale Road, Richmond, TW9 2SX, - 08.07.2024
39 Rosedale Road, Richmond, TW9 2SX, - 08.07.2024
41 Rosedale Road, Richmond, TW9 2SX, - 08.07.2024
37 Rosedale Road, Richmond, TW9 2SX, - 08.07.2024

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

Development Management

Status: REF

Date: 07/10/2010

Application: 10/2384/FUL

Conversion of 19thC building to two bed house, external alterations, new fenestration and roof terrace.

Development Management

Status: GTD

Date: 26/01/2011

Application: 10/3328/FUL

Conversion of store to B1 (business unit), to include raising of roofslope and part flat section, insertion of rooflights and fenestration alterations.

Development Management

Status: REF

Date: 08/02/2013

Application: 12/3936/FUL

Proposed development to amend the approved scheme (10/3328/FUL - Conversion of store to B1 (business unit), to include raising of roofslope and

part flat section, insertion of rooflights and fenestration alterations) which is active, involving alterations to the roof form to provide improved office accommodation.

<u>Development Management</u> Status: REC Date:	Application:12/3937/CAC Proposed development to amend the approved scheme (Full Planning Application 10/3328/FUL), which is active, involving alterations to the roof form to provide improved office accommodation.
<u>Development Management</u> Status: GTD Date:12/09/2013	Application:13/2397/VRC Variation of condition U37204 of planning permission 10/3328/FUL to allow externally mounted a/c units.
<u>Development Management</u> Status: GTD Date:21/01/2014	Application:10/3328/DD01 Submission of details pursuant to conditions BD05 (Materials to be approved), U37203 (Construction Method Statement) of planning permission 10/3328/FUL.
<u>Development Management</u> Status: GTD Date:18/07/2014	Application:14/1895/FUL Lower ground floor extension for B1 office space
<u>Development Management</u> Status: WDN Date:03/11/2016	Application:15/3717/FUL Change of use from office (Use Class B1) to single family dwelling and associated external alterations.
<u>Development Management</u> Status: GTD Date:31/03/2016	Application:14/1895/DD01 Details pursuant to condition U72666 (Notice of commencement) and U72671 (Provision of CMS) pursuant to planning permission 14/1895/FUL.
<u>Development Management</u> Status: GTD Date:23/04/2019	Application:14/1895/DD02 Details pursuant to PK06A - cycle parking of planning permission 14/1895/FUL
<u>Development Management</u> Status: WON Date:09/05/2019	Application:19/0716/DD00 A GA 10 10 - showing position of x2 vertical cycle racks. This requirement is in line with with the London Plan requirements, Parking addendum chapter 6 which states one position must be provided for every 150m2 of development (for outer London). The cycle racks are Saris Bike Parking track.
<u>Development Management</u> Status: PCO Date:	Application:24/1428/FUL Replacement of part of existing front slate roof to office building with patent glazing, additional rooflight to flat roof, replacement external refuse door, and internal alterations including relocation of stair and creation of lightwell to basement

Building Control
Deposit Date: 19.04.2012 Formation of ground floor toilet facility within existing storage building and new connection into neighbouring premises drainage system.

Reference: 12/0740/FP

Building Control
Deposit Date: 25.04.2013 Conversion of stable/workshop into an office building
Reference: 13/0774/IN

Building Control
Deposit Date: 12.02.2016 Formation of basement and mezzanine floor levels, rebuilding of part external wall and reforming roof structure to create self contained office accommodation

Reference: 16/0336/FP

Building Control
Deposit Date: 18.06.2018 Rewire of all circuits
Reference: 18/NIC01177/NICEIC

Building Control

Deposit Date: 02.04.2019 Install one or more new circuits
Reference: 19/NIC00781/NICEIC

Enforcement

Opened Date: 05.05.2016 Enforcement Enquiry
Reference: 16/0298/EN/BCN

Enforcement

Opened Date: 04.04.2017 Enforcement Enquiry
Reference: 17/0184/EN/NAP

Application Number	24/1428/FUL
Address	36B Rosedale Road Richmond TW9 2SX
Proposal	Replacement of part of existing front slate roof to office building with patent glazing, additional rooflight to flat roof, replacement external refuse door, and internal alterations including relocation of stair and creation of lightwell to basement
Contact Officer	Roberta Henriques
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 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 application, 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

36B Rosedale Road is a studio office building located at the eastern end of Rosedale Road - a residential and commercial cul-de-sac accessed off Kew Foot Road in Richmond. The 2-storey building plus basement is of brick construction with a part flat roof/part sloping roof in natural slate with rooflights. The building is unusually sited and projects into the street, illustrating its earlier construction than surrounding development. The original structure is likely to have formed part of a laundry and later used as a farriers/blacksmith and then for storage, before being converted into offices in 2011. While the walls were retained as part of the conversion, the roof form was rebuilt and slightly raised. The site is located within the Kew Foot Road Conservation Area (CA36) and is also subject to the following planning constraints:

Area of Mixed Use	Kew Road
Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 75% - SSA Pool ID: 146
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Community Infrastructure Levy Band	Higher
Increased Potential Elevated Groundwater	GLA Drain London
Main Centre Buffer Zone	Richmond Town Centre Boundary Buffer Zone - A residential development or a mixed use scheme within this 400 metre buffer area identified within the Plan does not have to apply the Sequential Test (for Flood Risk) as set out in Local Plan policy LP21.
Risk of Flooding from Surface Water 1 in 100 chance - Environment Agency	RoFSW Extent 1 In 100 year chance - SSA Pool ID: 18748
Risk of Flooding from Surface Water 1 in 100 chance - Environment Agency	RoFSW Extent 1 In 100 year chance - SSA Pool ID: 18754

Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency	RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 26853
Surface Water Flooding (Area Less Susceptible to) - Environment Agency	
Take Away Management Zone	Take Away Management Zone
Throughflow Catchment Area (Throughflow and Groundwater Policy Zone)	Adopted: October 2020 , Contact: Local Plan Team
Village	Richmond and Richmond Hill Village
Village Character Area	Kew Foot Road - Area 1 & Conservation Area 36 Richmond & Richmond Hill Village Planning Guidance Page 16 CHARAREA06/01/01
Ward	North Richmond Ward
World Heritage Site and buffer zone	Royal Botanic Gardens, Kew Buffer Zone (c) Historic England 2015. Contains OS data. (c) Crown copyright and database 2015. The most publicly available up to date HE data can be obtained from HistoricEngland.org.uk
World Heritage Site and its buffer zone by Historic England.	Royal Botanic Gardens, Kew - World Heritage Site - Buffer Zone

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposal comprises of the following: replacement of part of existing front slate roof to office building with patent glazing, additional rooflight to flat roof, replacement external refuse door, and internal alterations including relocation of stair and creation of lightwell to basement.

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

Ref	Proposal	Decision
14/1895/FUL	Lower ground floor extension for B1 office space	Granted Permission
13/2397/VRC	Variation of condition U37204 of planning permission 10/3328/FUL to allow externally mounted a/c units.	Granted Permission
12/3936/FUL	Proposed development to amend the approved scheme (10/3328/FUL - Conversion of store to B1 (business unit), to include raising of roofslope and part flat section, insertion of rooflights and fenestration alterations) which is active, involving alterations to the roof form to provide improved office accommodation.	Refused Permission
10/3328/FUL	Conversion of store to B1 (business unit), to include raising of roofslope and part flat section, insertion of rooflights and fenestration alterations.	Granted Permission
10/2384/FUL	Conversion of 19thC building to two bed house, external alterations, new fenestration and roof terrace.	Refused Permission

4. CONSULTATIONS CARRIED OUT

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

No letters of representation were received.

Neighbour amenity considerations are assessed under Section 6 (impact on neighbour amenity) in the report below.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

- 4. Decision-making
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

These policies can be found at:

<https://www.gov.uk/guidance/national-planning-policy-framework>

London Plan (2021)

The main policies applying to the site are:

- D4 Delivering good design
- D12 Fire Safety
- HC1 Heritage conservation and growth

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,	Yes	No
Impact on Designated Heritage Assets	LP3	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No
Offices	LP41	Yes	No

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.

Issue	Publication Local Plan Policy	Compliance	
Offices	23	Yes	No
Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No
Design process	44	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

Village Plan- Richmond and Richmond Hill

These policies can be found at:

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:

Kew Foot Road Conservation Area Statement

Kew Foot Road 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.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage assets
- ii Impact on neighbour amenity
- iii Biodiversity
- iv Fire Safety

Issue ii- Design and impact on heritage assets

Paragraph 199 of the NPPF states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

Paragraph 202 of the NPPF states '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'.

Policy LP1 sets out that that the Council will require all development to be of a high architectural and urban design quality. The high-quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces, and the local area. Development must respect, contribute to, and enhance the local environment and character.

Policy LP3 sets out that that the council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal. The significance of the borough's designated heritage assets should be conserved and enhanced. All proposals in Conservation Areas are required to preserve and, where possible, enhance the character or appearance of the Conservation Area.

The application site is within the Kew Foot Road Conservation Area, which is a distinctive and well- defined area containing an eclectic mix of building types and uses such as residential, commercial and institutional. Kew Foot Road is predominantly residential and generally more peaceful and of a smaller scale than the parallel Kew Road. The attractive character of this area is enhanced by the wider setting of and views into the adjoining open space of Old Deer Park. The East side of this road is lined by varied groups of brick built terraced houses and cottages of mostly two and some three storeys with small front gardens and a mix of boundaries. These buildings face the historic park boundary wall enclosing this road. The varied broken roofscape of these buildings provides a distinctive skyline to the road and park edge.

Covering a portion of the roof in glazing, would maintain the roof form but still allow the aim of achieving greater light levels internally. The volume and form of the building would be retained and the glazing is not considered to be intrusive. Given the angle of the building to the street, the glazing would still be visible in views toward the site, and it would alter the character and appearance of the building and read as a contemporary intervention. Pre-application advice has been followed for the current application, and the visibility of the glazing has been reduced as well as the amount of fabric lost. The dark-tinted glazing and aluminium mullions would blend in with the appearance of the slate roof.

There is no objection to this additional rooflight that would match the appearance of the existing rooflight.

The aluminium sliding refuse door would be replaced with oak timber louvered doors that would be more in keeping with the traditional appearance of the building.

Overall, the proposals are not considered to have a harmful impact on the significance of the BTM or the Conservation Area, and are therefore in accordance with policies LP1, LP3 and NPPF paras. 199 and 203.

Issue iii- Impact on 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.

Due to the siting and nature of the proposals, no harmful amenity impacts on neighbours are considered to arise from the development. Therefore, the development is in accordance with Policy LP8.

Issue iv - Biodiversity

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 application was made before 2nd April 2024
- The development impacts habitat of an area below a 'de minimis' threshold of 25m² or 5m of linear habitat such as hedgerows, and does not impact an onsite priority habitat
- The development is for a small scale self-build or custom house building

Issue v – Fire Safety

London Plan policy D12 requires the submission of a Fire Safety Statement on all planning applications.

The submitted Fire Safety Strategy is considered sufficient to satisfy Policy D12 of the London Plan (2021).

The applicant is advised that additions and 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.

7. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS

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

On initial assessment this development is 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. 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.

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 (which are not on the file) YES NO

This application has representations on file YES NO

Case Officer (Initials):RHE.....

Dated:29/08/2024.....

I agree the recommendation:



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

Dated: ...29/08/2024.....

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: