

**Application reference: 24/1654/FUL**  
KEW WARD

Date application received	Date made valid	Target report date	8 Week date
01.07.2024	08.07.2024	02.09.2024	02.09.2024

**Site:**

5 Station Parade, Kew, Richmond, TW9 3PS

**Proposal:**

New shop front

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

**APPLICANT NAME**

Amelul Ltd  
5 Station Parade  
Kew  
Richmond  
Richmond Upon Thames  
TW9 3PS

**AGENT NAME**

michael david  
9  
jepps Close  
Goffs oak  
Herts  
EN7 6UT  
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:**

41 High Park Road, Kew, Richmond, TW9 3BF, - 08.07.2024  
2 Station Parade, Kew, Richmond, TW9 3PZ, - 08.07.2024  
Flat, 2 Station Parade, Kew, Richmond, TW9 3PZ, - 08.07.2024  
375 Sandycombe Road, Richmond, TW9 3PR, - 08.07.2024  
7B Station Parade, Kew, Richmond, TW9 3PS, - 08.07.2024  
5B Station Parade, Kew, Richmond, TW9 3PS, - 08.07.2024  
3A Station Parade, Kew, Richmond, TW9 3PS, - 08.07.2024  
7A Station Parade, Kew, Richmond, TW9 3PS, - 08.07.2024  
5A Station Parade, Kew, Richmond, TW9 3PS, - 08.07.2024  
7 Station Parade, Kew, Richmond, TW9 3PS, - 08.07.2024  
3 Station Parade, Kew, Richmond, TW9 3PS, - 08.07.2024

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

Development Management

Status: GTD Application: 90/2077/FUL

Date: 27/12/1990 Changing Bedsit Accommodation Into 2 No Self Contained Flats

Development Management

Status: GTD Application: 79/0903/ADV

Date: 10/10/1979 For Advertisements.

Development Management

Status: GTD Application: 79/1000

Date: 10/10/1979 Installation of new shopfront.

Development Management

Status: GTD Application: 84/1065

Date:08/02/1985 Retention of new shop front. (Additional drawings received 13.11.84.).  
Development Management  
Status: PCO Application:24/1654/FUL  
Date: New shop front

<b>Application Number</b>	<b>23/2396/FUL</b>
<b>Address</b>	<b>5 Station Parade, Kew, Richmond</b>
<b>Proposal</b>	<b>New shop front</b>
<b>Contact Officer</b>	<b>Jack Davies</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 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 consists of a three-storey mid-terrace building on the northern side of Station Parade, Kew.

Relevant site designations:

- Area of Mixed Use
- Article 4 Direction A1 to A2
- Article 4 Direction Basements
- Building of Townscape Merit
- Conservation Area - Kew Gardens (CA15)
- Key Shop Frontage
- World Heritage Site and Buffer zone - Kew Gardens
- Character Area 4 of the Kew Village Planning Guidance.

## 3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposal is for replacement shopfront.

The comprehensive list of planning history can be found above.

## 4. CONSULTATIONS CARRIED OUT

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

No letters of representation were 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
- 16. Conserving and enhancing the historic environment

### **London Plan (2021)**

The main policies applying to the site are:

- SD6 - Town centres and high streets
- D4 - Delivering good design

E9 - Retail, markets and hot food takeaways  
 HC1 - Heritage conservation and growth

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 Non-Designated Heritage Assets	LP4	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No

**Supplementary Planning Documents / Guidance:**

- Conservation Areas SPD and Kew Gardens CA Statement
- Buildings of Townscape Merit SPD
- Kew Village Planning Guidance
- Shopfronts.

**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.

**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	Draft Local Plan Policy
Local Character and Design Quality	15, 28
Impact on Heritage Assets	29, 30
Impact on Amenity and Living Conditions	46

## 7. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on local character
- ii Impact on neighbour amenity
- ii Fire Safety

### **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 significance of the asset is taken into consideration when assessing works proposed to a designate heritage asset.*

*Policy LP 4 states that development shall preserve the significance, character and setting of non-designated heritage assets.*

*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.

*Kew Gardens Conservation Statement notes that Station Parades were built in the Edwardian period. It specifically highlights that the shops and cafes of Station Approach and Parade form a distinctive and cohesive group of buildings with the station. The eclectic mix of scale and style, and many fine traditional shopfronts including some remarkable single storey shop units nearer the station spill out onto the wide tree lined pavements to create an enjoyable continental atmosphere. The Statements has identified the following as problems and pressures:*

- *Loss of traditional architectural features and materials due to unsympathetic alterations*
- *Loss of original or quality shopfronts and unsympathetic alterations and advertisement*

*The statement also identifies the retention and improvement of the quality of shopfronts and advertisements as well as preservation, enhancement and reinstatement of architectural quality and unity as an opportunity for enhancement.*

5 Station Parade is a late 19th century shop with residential accommodation above, situated within the Kew Gardens Conservation Area and designated as a Building of Townscape Merit (BTM). It is three storeys in red brick under a slate roof screened by a parapet. The upper floors feature a wide, shallow bay window with four timber sash windows to each floor. Architectural detailing includes the decorative timber fretwork glazing to the windows, decorative terracotta panels beneath the second-floor windows, white painted string course above the second floor windows, and decorative ironwork atop the parapet.

The shopfront is wholly modern and of poor quality, with an overly large fascia and large expanses of plate glass. The decorative tiles pilasters and corbels are the only surviving historic features.

No.5 forms part of a parade of shops along the north side of Station Parade between Sandycombe Road and Kew Gardens station. There is wide variation in shopfront quality and design, ranging from poor-quality modern examples such as no.5 to sympathetic modern replacements (such as nos. 7 and 9) and original shopfronts (such as no.13, reflecting its former use as a bank). The opposite side of the Parade is of similar condition. Many tiled pilasters and corbels have been retained which is a positive. These shops form part of the approach to Kew Gardens station from the surrounding residential streets and have retained the Victorian character of the area despite variation in shopfront quality.

The significance of no.5 as a BTM is defined by its architectural style and surviving original features, visual relationship and group value with neighbouring properties, and contribution to the streetscape and character of Station Parade.

More widely, the significance of the Kew Gardens Conservation Area is defined by its predominantly late Victorian character comprising much of the Victorian development east of the Botanic Gardens which arose as a result of the arrival of the railway in 1969. The original buildings do not favour a particular style but enjoy a wide variety of exuberant detailing including intricate barge boarding, ornamental ridge tiles, decorative corbels and terracotta panels; the roofs are treated in a similarly flamboyant style and the roof lines include gables, finials and turrets. This architectural variation and quality, alongside the abundance of large front gardens and mature street trees contributes greatly to the character and significance of the area.

No objections are raised regarding the proposed new shopfront. As noted above, the existing shopfront is of poor quality and makes no contribution to the appearance of the building. The proposed shopfront would be of a traditional design with features including a central recessed entrance door, transom lights, and stallriser. The fascia would be replaced with one of a more appropriate size and it is also proposed to install an awning. The awning is considered to be acceptable as there are many other examples of awnings along Station Parade, forming a common feature of this parade of shops. It is noted the frame would be in timber which is welcome, and the colours used would be white with red lettering which is acceptable. The awning is also proposed to be white. The new shopfront design would be of higher design quality than the existing and would enhance the appearance of the building. This would have a positive impact on the character and significance of no.5 and the wider character and appearance of the Conservation Area.

This application is in accordance with policies LP1, LP3 and LP4. It also conforms to paragraphs 205 and 209 of the NPPF (2023).

### **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 shopfront works, there would be no impact on the amenities of neighbouring occupiers. The awning is retractable and lightweight and would not result in amenity impacts to neighbouring residents. The proposal satisfied Policy LP 8 of the Local Plan.

### **Fire Safety**

The applicant has submitted a 'Fire Strategy Note' 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.

## **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.

**Granted**

### **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): DAV Dated: 02.09.2024

**I agree the recommendation:**

South Area Team Manager: .....ND.....

Dated: .....02.09.2024.....