

Application reference: 24/1568/FUL
SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
20.06.2024	27.06.2024	22.08.2024	22.08.2024

Site:

1 Kew Road, Kew, Richmond, TW9 2NQ

Proposal:

Replacement of existing shopfront with new shopfront, external lighting, decoration of external areas and installation of replacement kitchen ventilation system.

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

APPLICANT NAME

Mr Clive Haeger-Gibbs
c/o Design Coalition Co Ltd
Castle Street
Ongar
CM5 9JY
United Kingdom

AGENT NAME

Mr Lance Davies
The Old Mill
Castle Street
Ongar
CM5 9JY
United Kingdom

DC Site Notice: printed on 28.06.2024 and posted on 05.07.2024 and due to expire on 26.07.2024

Consultations:

Internal/External:

Consultee

London Underground
14D Urban D
Network Rail
LBRUT Environmental Health
14D Urban D

Expiry Date

22.07.2024
17.09.2024
12.08.2024
20.09.2024
12.07.2024

Neighbours:

Kiosk Lower Concourse, Richmond Railway Station, Kew Road, Richmond, TW9 2NA, - 28.06.2024
Kiosk, Richmond Railway Station, Kew Road, Richmond, TW9 2NA, - 28.06.2024
Kiosk AMT Coffee Ltd, Richmond Railway Station, Kew Road, Richmond, TW9 2NA, - 28.06.2024
Adjacent To Richmond Station, Kew Road, Richmond, TW9 2NA, - 28.06.2024
WH Smith, Richmond Railway Station, Kew Road, Richmond, TW9 2NA, - 28.06.2024
Marks & Spencer, Richmond Railway Station, Kew Road, Richmond, TW9 2NA, - 28.06.2024
Kiosk Adj Main Ticket Hall The Overbridge, Richmond Railway Station, Kew Road, Richmond, TW9 2NA, - 28.06.2024
E B C House, Kew Road, Kew, Richmond, TW9 2NA, - 28.06.2024
Richmond Railway Station, Kew Road, Richmond, TW9 2NA, - 28.06.2024
11 Merevale House, Parkshot, Richmond, TW9 2RG, - 28.06.2024
10 Merevale House, Parkshot, Richmond, TW9 2RG, - 28.06.2024
9 Merevale House, Parkshot, Richmond, TW9 2RG, - 28.06.2024
8 Merevale House, Parkshot, Richmond, TW9 2RG, - 28.06.2024
7 Merevale House, Parkshot, Richmond, TW9 2RG, - 28.06.2024
6 Merevale House, Parkshot, Richmond, TW9 2RG, - 28.06.2024
5 Merevale House, Parkshot, Richmond, TW9 2RG, - 28.06.2024
4 Merevale House, Parkshot, Richmond, TW9 2RG, - 28.06.2024
3 Merevale House, Parkshot, Richmond, TW9 2RG, - 28.06.2024
2 Merevale House, Parkshot, Richmond, TW9 2RG, - 28.06.2024
1 Merevale House, Parkshot, Richmond, TW9 2RG, - 28.06.2024

3 Kew Road, Richmond, TW9 2NQ, - 28.06.2024
 Third Floor, Midmoor House, Kew Road, Richmond, TW9 2NQ, - 28.06.2024
 Second Floor, Midmoor House, Kew Road, Richmond, TW9 2NQ, - 28.06.2024
 First Floor, Midmoor House, Kew Road, Richmond, TW9 2NQ, - 28.06.2024
 2 Midmoor House, Kew Road, Richmond, TW9 2NQ, - 28.06.2024
 Midmoor House, Kew Road, Richmond, TW9 2NQ, - 28.06.2024
 1 Midmoor House, Kew Road, Richmond, TW9 2NQ, - 28.06.2024
 6 Parkshot, Richmond, TW9 2RD -

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

Development Management

Status: GTD Application: 99/2737/DD01
 Date: 23/05/2000 Details Pursuant To Condition Rs04u (extraction Equipment) Of Planning Permission 99/2737/ful Dated 16/03/2000.

Development Management

Status: GTD Application: 00/0968
 Date: 25/05/2000 Illuminated Fascia And Projecting Sign To Front Elevation And Non Illuminated Fascia Sign To Rear Elevation.

Development Management

Status: GTD Application: 00/3097
 Date: 28/12/2000 Erection Of Three Internally Illuminated Poster Display Signs.

Development Management

Status: GTD Application: 01/1258
 Date: 03/07/2001 Retention Of A White 0.98m Diameter Flat Roof Mounted Satellite Dish Antennae.

Development Management

Status: REF Application: 03/0604/ADV
 Date: 27/03/2003 Erection Of Various Signs

Development Management

Status: GTD Application: 03/2575
 Date: 30/10/2003 Proposed Internally Illuminated Projecting And Fascia Signs, And Two Non-illuminated Poster Boxes All On Kew Road Frontage: One Non-illuminated Fascia Sign On Parkshot Frontage.

Development Management

Status: GTD Application: 99/2737
 Date: 20/03/2000 Alterations To Existing Public House Including Installation Of A New Shopfront, First Floor Rear Extension, New Fire Escape And Plant Equipment To The Rear.

Development Management

Status: GTD Application: 78/0155/ADV
 Date: 18/04/1978 For Advertisements.

Development Management

Status: GTD Application: 74/1060/ADV
 Date: 04/11/1974 For Advertisements.

Development Management

Status: REF Application: 10/2886/FUL
 Date: 30/11/2010 Removal of existing ground floor shop front and provision of replacement shopfront set back to create external customer terrace within retained arches. Installation of security roller shutters.

Development Management

Status: GTD Application: 10/3219/ADV
 Date: 10/01/2011 2no. sets of flat cut 3mm thick stainless steel individual letters, with locators to the rears to raise off surface 20mm when fitted. 2no. lockable notice boards to slide menus into.

Development Management

Status: GTD Application: 12/0369/FUL
 Date: 13/04/2012 New external lighting and new planters to front and rear elevations.

Development Management

Status: GTD Application: 12/0370/ADV
 Date: 13/04/2012 Existing signage to be removed and replaced with new. 3no. signs are to be signwritten on the front and rear elevation. 1no. hanging signs are to project of the front elevation. 2no. signs are to be powder coated lettering spelling out the name of the premises, both on the front and on the rear elevation.

Development Management

Status: PCO

Date:

Application:24/1568/FUL

Replacement of existing shopfront with new shopfront, external lighting, decoration of external areas and installation of replacement kitchen ventilation system.

Development Management

Status: PCO

Date:

Application:24/2006/ADV

2 x externally illuminated fascia signs, 1 x non illuminated projecting sign, 1 x internally illuminated menu case and 1 x non illuminated plaque.

Building Control

Deposit Date: 11.04.2000

Reference: 00/0724/AI

Internal Alterations

Building Control

Deposit Date: 04.11.1991

Reference: 91/1069/1/FP

New wcs at ground floor

Building Control

Deposit Date: 27.10.2010

Reference: 10/2131/IN

Internal refurbishment works

Building Control

Deposit Date: 05.07.2024

Reference: 24/0811/IN

Conversion and refurbishment works to include replacement of shop front, alterations to means of escape lobby, new kitchen ventilation system, new above ground drainage and electrical works

Application Number	24/1568/FUL
Address	1 Kew Road Kew Richmond TW9 2NQ
Proposal	Replacement of existing shopfront with new shopfront, external lighting, decoration of external areas and installation of replacement kitchen ventilation system.
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 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

No. 1 Kew Road lies within the Central Richmond Conservation Area and is also designated as a Building of Townscape Merit (BTM). The existing building is a four storey Victorian building divided into four bays. It was formerly known as the Station Hotel.

The site is also subject to the following planning constraints:

Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 75% - SSA Pool ID: 146
Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 75% - SSA Pool ID: 311
Article 4 Direction B1 to C3	Restricting B1 To C3 - Richmond 30/11/14 / Ref: ART4/CJ/007 / Effective from: 30/11/2014
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.
Community Infrastructure Levy Band	Higher
Community Infrastructure Levy Town Centre Zone	Richmond Town Centre CIL Boundary
Critical Drainage Area - Environment Agency	Richmond Town Centre and Mortlake [Richmond] / Ref: Group8_004 /
Increased Potential Elevated Groundwater	GLA Drain London
Key Office Area	Richmond / Richmond exemption area, as applied for / Status: Key Office Area / Area: 158725.7
London Underground Rail Safeguard Zone	London Underground to be consulted on any planning application within this area. Contact: Information Manager, LU Infrastructure Protection, 3rd Floor Albany House, 55 Broadway, London, SW1H 0BD Tel: 020 7918 0016 Email: locationenquiries@tube.tfl.gov.uk
Main Centre Boundary	Richmond
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.
Secondary Shop Frontage	1- 45 KEW ROAD RICHMOND
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	Central Richmond - Area 15 & Conservation Area 17 Richmond & Richmond Hill Village Planning Guidance Page 56 CHARAREA06/15/01
Ward	South Richmond Ward

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

This application proposes the replacement of the existing shopfront with a new shopfront, the decoration of external areas and the installation of a replacement kitchen ventilation system.

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

24/2006/ADV	2 x externally illuminated fascia signs, 1 x non illuminated projecting sign, 2 x non illuminated banner sign, 2 x internally illuminated menu cases and 1 x non illuminated plaque.	Not Determined Yet
12/0370/ADV	Existing signage to be removed and replaced with new. 3no. signs are to be signwritten on the front and rear elevation. 1no. hanging signs are to project of the front elevation. 2no. signs are to be powder coated lettering spelling out the name of the premises, both on the front and on the rear elevation.	Granted Permission
12/0369/FUL	New external lighting and new planters to front and rear elevations.	Granted Permission
10/3219/ADV	2no. sets of flat cut 3mm thick stainless steel individual letters, with locators to the rears to raise off surface 20mm when fitted. 2no. lockable notice boards to slide menus into.	Granted Permission
10/2886/FUL	Removal of existing ground floor shop front and provision of replacement shopfront set back to create external customer terrace within retained arches. Installation of security roller shutters.	Refused Permission
03/2575/ADV	Proposed Internally Illuminated Projecting And Fascia Signs, And Two Non-illuminated Poster Boxes All On Kew Road Frontage: One Non-illuminated Fascia Sign On Parkshot Frontage.	Granted Permission
03/0604/ADV	Erection Of Various Signs	Refused Permission
01/1258	Retention Of A White 0.98m Diameter Flat Roof Mounted Satellite Dish Antennae.	Granted Permission
00/3097	Erection Of Three Internally Illuminated Poster Display Signs.	Granted Permission
00/0968	Illuminated Fascia And Projecting Sign To Front Elevation And Non Illuminated Fascia Sign To Rear Elevation.	Granted Permission
99/2737/DD01	Details Pursuant To Condition Rs04u (extraction Equipment) Of Planning Permission 99/2737/ful Dated 16/03/2000.	Granted Permission
99/2737	Alterations To Existing Public House Including Installation Of A New Shopfront, First Floor Rear Extension, New Fire Escape And Plant Equipment To The Rear.	Granted Permission
78/0155/ADV	For Advertisements.	Granted Permission
74/1060/ADV	For Advertisements.	Granted Permission

Amendments

The application has been amended so that the proposed anodized aluminium framed doors have been changed to timber and the brass plaques have been removed.

4. CONSULTATIONS CARRIED OUT

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

One letter of representation has been received.

The comments can be summarised as follows:

- The works to redecorate the building would greatly improve the road.

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
- 7. Ensuring the vitality of town centres
- 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 Non-Designated Heritage Assets	LP4	Yes	No
Impact on Amenity and Living Conditions	LP8	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

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	
Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No
Non-designated heritage assets	30	Yes	No
Design process	44	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

Shopfronts
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

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 Noise
- iv Fire Safety
- v Biodiversity

Issue i - Design and impact on heritage assets

Policy Context

Policy LP1 of the Local Plan states the Council will require all development to be of 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.

Policy LP3 of the Local Plan states 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.

Policy LP4 states that the development shall preserve and enhance the significance, character and setting of the non-designated heritage asset.

Policy LP26 (Retail frontages) is particularly relevant given the site is within a secondary shop frontage (1-45 Kew Road). In summary LP26A resists the loss of retail floorspace within key and secondary shop frontages and that the proposed use should retain a 'shop-like' appearance; it should not have a detrimental visual impact on the shopfront and should respect the heritage and character of the centre, taking into account the Village Planning Guidance SPDs.

The Shopfronts SPD states that applications to alter shopfronts should "Look for and retain any surviving features which give the building visual interest and individual distinctiveness and can often help attract custom." The SPD also states that that "the new shopfront should not be designed in isolation. Care should be taken to respect the design of the building into which the shopfront is fitted and its neighbours."

Background

No. 1 Kew Road lies within the Central Richmond Conservation Area. It is also designated as a BTM.

The significance of the conservation area is that it is the site of the former village centre associated with the long-established Royal Manor House and known to have existed as early as 1350. 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. There are also residential areas of mainly terraced development.

The area is threaded by several small lanes leading into the historic Richmond that lies behind the 19th century commercial redevelopment. These lanes, Brewer's Lane, Golden Court, Waterloo Place, Church Court, Victoria Place, Mitre Court and the Market Passage, provide a refuge from traffic and are spaces of a more intimate nature.

The existing building at No.1 Kew Road is a four storey Victorian building divided into four bays. It was formerly known as the Station Hotel.

Assessment

The application proposes the replacement of the existing shopfront with new shopfront, external lighting, decoration of external areas and the installation of a replacement kitchen ventilation system.

Works to front elevation

At ground floor level, the existing windows to the transom panels within the arches are timber with decorative mouldings as part of the original design. The ground floor doors below the horizontal timber frieze appear to have changed over time but are nevertheless timber.

As originally submitted, the proposals sought to remove the original timber transom panels and frieze and replace them with aluminium doors. This was considered to detract from the character of the host BTM and surrounding Conservation Area. During the course of the application, amended plans were submitted and now propose timber doors. The amendment to change the proposed anodized aluminium framed doors to timber is welcomed, and would create a shopfront that is better in keeping with the appearance of the existing.

The existing facade above ground floor has in recent years been painted over the existing brickwork concealing original architectural details. The applicants propose to redecorate the front façade walls with Dulux Weathershield Gentle Moon, 30YY60/024. Whilst revealing the historic brickwork through removal of paint is considered to be a missed opportunity for enhancement, it is acknowledged that exterior painting is

permitted development under Schedule 2, Part 2, Class C of the General Permitted Development Order.

The application was reviewed by Council's Urban Design and Heritage officer who advised they have no objections in regard to the proposed works, now that the proposed anodized aluminium framed doors have been changed to timber.

Works to rear elevation

The applicants propose to replace the existing kitchen ventilation to the rear elevation flat roof area, which is now of an age, to ensure the system is working efficiently.

The proposed ventilation system is to be located in the same position and maintain the same discharge routes. As part of the ventilation works, the existing screening will be repaired and reinstated. This is considered acceptable.

External lighting

External lighting is proposed to replace existing fittings with more modern and energy efficient lighting, as indicated on the proposed elevations, to enhance the external look and feel of the building without detracting from the street scene. There is no objection to the replacement uplighters and downlighters.

Paragraph 205 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 208 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'. In this instance, as amended, the proposal is considered to preserve the character and appearance of the conservation area.

Paragraph 209 of the NPPF states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'. In this instance, the proposals are not considered to harm the significance of the BTM.

In view of the above, the proposal complies with the aims and objectives of policies LP1, LP3 and LP4 of the Local Plan and policies 28, 29 and 30 of the Publication Local Plan as supported by the Central Richmond Conservation Area Statement/Study.

Issue ii- Impact on Neighbour Amenity

Policy LP8 states that development must protect the amenity and living conditions of existing, adjoining and neighbouring occupants. Design must allow for good daylight standards, avoid overlooking or noise disturbance, avoid visual intrusion, overbearing impacts or harm to the reasonable enjoyment of the uses of buildings and gardens. Harm may arise from various impacts such as noise, air pollution, odours or vibration.

Policy LP10 states that the Council will seek to ensure that local environmental impacts of all development proposal do not lead to detrimental impacts on the health, safety and the amenity of existing and new users or occupiers of the development site or surrounding land. These potential impacts can include, but are not limited to air pollution, noise and vibration, light pollution, odours and fumes, solar glare and solar dazzle as well as land contamination. Developers should follow any guidance provided by the Council on local environmental impacts and pollution as well as on noise generating and noise sensitive development. Where necessary, the Council will set planning conditions to reduce local environmental impacts on adjacent land uses to acceptable levels.

Having regard to the nature, scale, siting and materiality of the proposed replacement of existing shopfront with new shopfront, external lighting and decoration of external areas, it is not considered that these proposals would have a significant impact on the amenities of the neighbouring properties and no objections are raised in this regard.

Having regard to its siting and scale of the proposed ventilation system, whilst it would be visible from surrounding units, it is not considered to appear overbearing or obtrusive, nor would it result in a harmful loss of light.

In terms of noise from the ventilation system, the application has been accompanied with a Noise Assessment. This assessment has involved carrying out a baseline noise monitoring survey to establish the existing noise climate outside the nearest residential windows. Using the manufacturer's noise output data for the proposed equipment, the likely levels of plant noise has been calculated outside the nearest noise-sensitive premises and assessed using the guidance in BS 4142. Suitable noise mitigation measures have been recommended. By following the recommendations in the Noise Assessment, it is predicted that the noise impact of the mechanical plant associated with the proposed development will not result in any significant harm of amenity to the nearby residents.

In terms of Odour from the ventilation system, the applicant has confirmed that the type of cooking undertaken on the premises will not change from existing. They have confirmed that the proposed new cookline will contain the same/refreshed equipment, but will be reconfigured for improved operational performance.

The main rising kitchen exhaust is planned to be replaced with rectangular ductwork to improve the internal cleaning and a high velocity discharge rather than the current 'Top Hat' which will greatly improve dispersion of the products of cooking.

The Councils Environmental Health Officer has been consulted on the proposals and raises no objection subject to the inclusion of a condition.

The proposal is therefore considered to comply with policy LP8 of the Local Plan and policy 46 of the emerging Local Plan.

Issue iii - 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 iv – Fire Safety

A Fire Safety Assessment and Fire Safety Strategy were received in support of the application on 28.06.24. The submission of these documents is considered to satisfy the requirements of policy D12.A condition is included to ensure this is adhered to on an ongoing basis.

The applicant is advised that alterations to existing buildings should comply with the Building Regulations. A separate application would have been required to have been made for Building Regulation requirements.

Overall, the scheme if acceptable, would have been considered consistent with this Policy D12 of the London Plan.

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.

Grant planning permission

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:08/10/2024.....

I agree the recommendation:

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

Dated:GE.....09/10/2024.....