

**Application reference: 24/2084/FUL**  
**SOUTH RICHMOND WARD**

Date application received	Date made valid	Target report date	8 Week date
16.08.2024	27.08.2024	22.10.2024	22.10.2024

**Site:**

34 King George Square, Richmond, TW10 6LG,

**Proposal:**

Sash window replacement and reglazing of windows on property.

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

**APPLICANT NAME**

Ms Roma Van Den Bergh  
34 King George Square  
Richmond  
Richmond Upon Thames  
TW10 6LG

**AGENT NAME**

Mr Rio Jablonski  
Unit 2 Kangley Business Centre  
Kangley Bridge Road  
Lower Sydenham  
London  
SE26 5AQ  
United Kingdom

**DC Site Notice:** printed on 28.08.2024 and posted on 06.09.2024 and due to expire on 27.09.2024

**Consultations:**

**Internal/External:**

**Consultee**

21D Urban D

**Expiry Date**

18.09.2024

**Neighbours:**

77 King George Square, Richmond, TW10 6LF, - 28.08.2024  
73 King George Square, Richmond, TW10 6LF, - 28.08.2024  
67 King George Square, Richmond, TW10 6LF, - 28.08.2024  
63 King George Square, Richmond, TW10 6LF, - 28.08.2024  
75 King George Square, Richmond, TW10 6LF, - 28.08.2024  
71 King George Square, Richmond, TW10 6LF, - 28.08.2024  
69 King George Square, Richmond, TW10 6LF, - 28.08.2024  
65 King George Square, Richmond, TW10 6LF, - 28.08.2024  
79 King George Square, Richmond, TW10 6LF, - 28.08.2024  
28 King George Square, Richmond, TW10 6LG, - 28.08.2024  
26 King George Square, Richmond, TW10 6LG, - 28.08.2024  
38 King George Square, Richmond, TW10 6LG, - 28.08.2024  
36 King George Square, Richmond, TW10 6LG, - 28.08.2024  
32 King George Square, Richmond, TW10 6LG, - 28.08.2024  
30 King George Square, Richmond, TW10 6LG, - 28.08.2024  
16 King George Square, Richmond, TW10 6LG, - 28.08.2024  
14 King George Square, Richmond, TW10 6LG, - 28.08.2024  
4 King George Square, Richmond, TW10 6LG, - 28.08.2024  
2 King George Square, Richmond, TW10 6LG, - 28.08.2024  
40 King George Square, Richmond, TW10 6LG, - 28.08.2024  
12 King George Square, Richmond, TW10 6LG, - 28.08.2024  
10 King George Square, Richmond, TW10 6LG, - 28.08.2024  
8 King George Square, Richmond, TW10 6LG, - 28.08.2024  
6 King George Square, Richmond, TW10 6LG, - 28.08.2024

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

Development Management

Status: PCO

Application:24/2084/FUL

Date:

Sash window replacement and reglazing of windows on property.

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Development Management

Status: PCO

Application:24/2085/LBC

Date:

Sash window replacement and reglazing of windows on property.

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<b>Application Number</b>	<b>24/2084/FUL</b>
<b>Address</b>	34 King George Square Richmond TW10 6LG
<b>Proposal</b>	Sash window replacement and reglazing of windows on property.
<b>Contact Officer</b>	Roberta Henriques
<b>Legal Agreement</b>	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 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

34 King George Square comprises a ground floor residential flat within the Grade II listed Central Block of Kingsmead and Grove Road Hospital (converted to residential use in 1986). The site is located within the Richmond Hill Conservation Area (CA5). The site is also subject to the following planning constraints:

Item Found	More Information
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Community Infrastructure Levy Band	Higher
Critical Drainage Area - Environment Agency	Richmond Town Centre and Mortlake [Richmond] / Ref: Group8_004 /
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	Richmond Hill - Area 12 & Conservation Area 5 Richmond & Richmond Hill Village Planning Guidance Page 44 CHARAREA06/12/01
Ward	South Richmond Ward

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

The application proposal comprises of sash window replacement and reglazing of windows on property.

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

24/2085/LBC Sash window replacement and reglazing of windows on property. Not determined yet.

## 4. CONSULTATIONS CARRIED OUT

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

1 observation letter was received, the comment can be summarised as follows:

- Approve the design as it is the same as the original

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:

- D1 London's form, character and capacity for growth
- 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	<del>No</del>
Impact on Designated Heritage Assets	LP3	Yes	<del>No</del>
Impact on Amenity and Living Conditions	LP8	Yes	<del>No</del>

These policies can be found at

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

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

The Richmond Publication Version Local Plan (Regulation 19 version) 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	
		Yes	No
Local character and design quality	28	Yes	<del>No</del>
Designated heritage assets	29	Yes	<del>No</del>
Design process	44	Yes	<del>No</del>

### Supplementary Planning Documents

Conservation Areas  
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](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:  
Richmond Hill Conservation Area Statement  
Richmond Hill 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.

### Determining applications affecting a Listed Building

Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant listed building consent for any works, or whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm.

To give effect to this duty decisions of the court have confirmed that a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. However, this does not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting planning permission where harm to a listed building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.

## 6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage assets
- ii Impact on neighbour amenity

- iii Fire Safety
- iv Biodiversity

## **Issue i – Design and impact on heritage assets**

### Policy Context

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 states that development 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 designated heritage asset.

### Background

34 King George Square comprises a ground floor residential flat within the Grade II listed Central Block of Kingsmead and Grove Road Hospital (converted to residential use in 1986). The listing description is brief: "1786. Brick built. Three window centre with 2 projecting wings. Segmental headed casement windows. Brick. Two storeys with clock in small stucco pediment above inscription recording the erection of the building for the benefit of the poor of Richmond and Kew. Former Richmond Workhouse." The building derives special interest from its age and former historic uses and how this is reflected in the architecture and plan form. Having been converted to residential use the building has undergone various alterations, including to the windows.

The site is located within the Richmond Hill Conservation Area (CA5), within Character Area 4 Queens Road. This area has an edge of park character distinct from that of Richmond Hill, away from the famous views but bounding Richmond Park. It is mainly residential with development mainly dating from the Victorian era onwards, with the site being an earlier survival that contributes positively to the conservation area for its historic uses, architectural interest and illustration of the historic townscape.

### Proposal

This application is for sash window replacement and the reglazing of the windows on the property.

The application is supported with a condition assessment, including photographs. The existing windows comprise three tripartite sashes (two with glazing bars (W1 and W2), one without (W3)) and a later triple casement window (W4). The sashes are shown to be in a poor condition.

The heritage statement shows that the windows are of varying dates, with varying details and this also applies across the different flats in the block. There is some scope for enhancing the appearance of the windows for this flat by regularising window details according to the historic precedents found elsewhere in the building.

The proposed glazing for the three sashes (W1, W2 and W3) comprise slimline double glazing units in timber 16mm thick (or a 4-6-4 arrangement). This thickness meets the council's expectations for slimline units and is acceptable.

In relation to the sashes with glazing bars (W1 and W2) it is confirmed that the bars of the new units would be integral to the structure of the window separating the panes which is also acceptable.

For Window W4 reglazing with 8.3mm Landvac slim vacuum glazing is proposed. This will allow for retention of the existing window frame, which survives in better condition than the sashes. This is acceptable.

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, the proposal is considered to preserve the special interest of the listed

building.

Therefore, the works are considered to be in accordance with the Statutory Duties of the 1990 Act as the proposals will preserve the special interest of the listed building and would preserve the character and appearance of the conservation area. It is also in accordance with para 205 of the NPPF. The proposals will not cause harm to the heritage assets and thus the policy tests of the NPPF do not apply. Proposals are also in accordance with local policies LP1 and LP3.

### **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.

Given the location, siting, scale and nature of the proposal being for the replacement of window sashes and the reglazing of windows, the proposal would not have an adverse impact on the amenities of neighbouring occupiers in terms of loss of daylight/sunlight, loss of privacy, overbearing or visual intrusion.

In view of the above, the proposal complies with the aims and objectives of policies LP8 of the Local Plan 2018.

### **Issue iii – Fire Safety**

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

The applicant has provided an email to certificate to confirm that the company that would install the work is CERTASS certified. The applicant is advised that alterations to existing buildings should comply with the Building Regulations. Overall, the scheme can therefore be considered consistent with this Policy D12 of the London Plan.

### **Issue iv - Biodiversity**

Biodiversity net gain became mandatory for minor developments on applications made from 2<sup>nd</sup> April 2024. This application is exempt from mandatory biodiversity net gain on the grounds that:

- The application was made before 2<sup>nd</sup> April 2024
- The development impacts habitat of an area below a 'de minimis' threshold of 25m<sup>2</sup> 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

## **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: .....30/09/2024.....

**I agree the recommendation:**

Team Leader/Head of Development Management/Principal Planner

Dated: .....GE.....15/10/2024.....