

Application reference: 21/0550/HOT HAM, PETERSHAM, RICHMOND RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
17.02.2021	01.03.2021	26.04.2021	26.04.2021

Site:

87 Maguire Drive, Ham, Richmond, TW10 7XZ

Proposal:

OUT BUILDING WORKSHOP / GARDEN ROOM .

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

APPLICANT NAME

Mr PHONG BUI VAN
87
Maguire Drive
Ham
TW10 7XZ

AGENT NAME

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

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

24 Lammas Road, Ham, Richmond, TW10 7YB, - 01.03.2021
22 Lammas Road, Ham, Richmond, TW10 7YB, - 01.03.2021
20 Lammas Road, Ham, Richmond, TW10 7YB, - 01.03.2021
7 Vancouver Road, Ham, Richmond, TW10 7YA, - 01.03.2021
5 Vancouver Road, Ham, Richmond, TW10 7YA, - 01.03.2021
3 Vancouver Road, Ham, Richmond, TW10 7YA, - 01.03.2021
89 Maguire Drive, Ham, Richmond, TW10 7XZ, - 01.03.2021
85 Maguire Drive, Ham, Richmond, TW10 7XZ, - 01.03.2021

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

Status: PDE

Application: 21/0550/HOT

Date:

OUT BUILDING WORKSHOP / GARDEN ROOM .

Building Control

Deposit Date: 04.04.2008

Re-instatement of unity PRC dwelling

Reference: 08/0741/BN

Building Control

Deposit Date: 06.05.2008

8 Windows 3 Doors

Reference: 08/FEN01120/FENSA

Building Control

Deposit Date: 25.06.2008 Installed a Gas Boiler
Reference: 08/COR01764/CORGI

Building Control

Deposit Date: 03.03.2020 Loft and dormer
Reference: 20/0397/FP

Application Number	21/0550/HOT
Address	87 Maguire Drive, Ham, Richmond TW10 7XZ
Proposal	Out Building Workshop / Garden Room.
Contact Officer	Alice Murphy
Target Determination Date	02/07/2021

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

The subject site is currently occupied by a two storey semi-detached dwellinghouse on the south side of Maguire Road, Ham.

Other relevant site designations:

- Archaeological Priority – English Heritage
- Article 4 Direction – restricting basement development
- Neighbourhood Plan Area – Ham and Petersham Neighbourhood Area.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The application seeks to construct an outbuilding for use as a gym and art studio.

There is no relevant planning history for the site.

4. CONSULTATIONS CARRIED OUT

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

No material representations were received.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2019)

The key chapters applying to the site are:

4. Decision-making

These policies can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/N

[PPF_Feb_2019_revised.pdf](#)

London Plan (2021)

The main policies applying to the site are:

Policy D4 – Delivering good design
Policy D12 – Fire Safety

These policies can be found at: https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf

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	Ne
Impact on Archaeology	LP7	Yes	Ne
Impact on Amenity and Living Conditions	LP8	Yes	Ne

These policies can be found at

https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Ham and Petersham Neighbourhood Plan (2019)

The main policies applying to the site are as follows:

Issue	Plan Policy	Compliance	
Character and Context Appraisal	C2	Yes	Ne

These policies can be found at

https://www.richmond.gov.uk/media/16749/hpn_plan_2018_to_2033_january_2019.pdf

Supplementary Planning Documents

House Extension and External Alterations

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:

Article 4 Direction – restricting basement development

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design
- ii Impact on Neighbour Amenity
- iii Archaeology
- iv Fire Safety

Issue i - Design

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.

The application relates to the constructing of an outbuilding at the rear of the property, replacing a smaller outbuilding in his location. A statement of use has been provided, specifying that the outbuilding will be used as a gym, playroom and as a home office. A condition will be included on the planning permission to ensure that the activity remains ancillary to the existing use on the site.

The outbuilding will measure approximately 7.5m by 5.6m, narrowing to 2.2m in width. The building will have a maximum height of 3m sloping to 2.9m. The external wall on the boundary will be constructed with brick, large glazed doors are proposed on the front elevation, facing the main dwellinghouse, two other windows are proposed on this elevation. This will be set back approximately 20cm from each boundary. No boundary fence/walls require removal.

It is noted that there are other examples of outbuildings in the immediate vicinity, although the outbuilding is considered larger than these, the proposed could be considered to appear out of character. The proposed does not undermine openness of the site and surrounding however, and a sufficient amount of rear amenity space is considered to be retained as a result of this proposal. The total alterations on the property would remain below 50% of the total site coverage. The building will appear clearly subordinate and distinct to the main house. The building will not detract or undermine the value and visual importance of the dwelling itself and will appear visually subordinate and the modern glass appearance will appear as an obvious addition.

Overall the application can be considered consistent with LP1.

Issue ii- 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.

Council's SPD specifies that a projection of 3m is acceptable in regard to residential amenity for a terraced dwellinghouse, where a larger projection is proposed, the eaves should be reduced to 2.2m.

When considering the siting of the outbuilding in the rear garden is not sited near any habitable windows therefore no impact is anticipated in this regard.

The adjoining sites are all large deep sites therefore the outbuilding is considered acceptable.

No side windows are evident on the side elevations therefore no impact will result from the proposal in regard to overlooking or loss of privacy. All new fenestration will be facing the back garden and main dwellinghouse. Windows relate to ground floor only.

As such, having regard to its siting, design, scale and materiality, it is not considered that the proposed outbuilding would impact the amenity of the neighbouring properties and no objections have been raised in this regard.

The proposal is considered to be consistent with LP 8.

Issue iii – Archaeology

Policy LP 7 of the Local Plan states 'The Council will seek to protect, enhance and promote its archaeological heritage and will encourage its interpretation and presentation to the public.

Whilst the site falls within an area of Archaeological Priority, given the developed nature of the application site and surrounding areas it is considered unlikely that an archaeological investigation would be required in this instance. The scheme is considered consistent with LP7.

Issue iv – Fire Safety

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

A Fire Safety Strategy was received by Council 5th May 2021 following the Officers request. A condition will be included to ensure this is adhered to on an ongoing basis. The materials proposed are to match existing and will need to be Building Regulations compliant. 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. Overall, the scheme can therefore be 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.

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

Grant planning permission with conditions

Recommendation:

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

I therefore recommend the following:

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable YES* NO
(*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement YES* NO
(*If yes, complete Development Condition Monitoring in Uniform)


This application has representations online (which are not on the file) YES NO

This application has representations on file YES NO

Case Officer (Initials): ...AMU.....

Dated:01/07/2021.....

I agree the recommendation:



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

Dated: ...06/07/2021.....

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: