

## Application reference: 21/2027/HOT KEW WARD

Date application received	Date made valid	Target report date	8 Week date
04.06.2021	04.06.2021	30.07.2021	30.07.2021

**Site:**

72 Bushwood Road, Kew, Richmond, TW9 3BQ

**Proposal:**

Hip to Gable and rear dormer roof extension. Front dormer roof extension.

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

**APPLICANT NAME**

Mr Francis Shortis  
75 Gainsborough Road  
75  
Richmond  
TW9 2ET  
United Kingdom

**AGENT NAME**

Mrs Martina Vildosola  
75 Gainsborough Road  
KEW  
TW9 2ET

**DC Site Notice:** printed on and posted on 18.06.2021 and due to expire on 09.07.2021

**Consultations:****Internal/External:****Consultee****Expiry Date****Neighbours:**

73 Bushwood Road, Kew, Richmond, TW9 3BG, - 08.06.2021  
71 Bushwood Road, Kew, Richmond, TW9 3BG, - 08.06.2021  
69 Bushwood Road, Kew, Richmond, TW9 3BG, - 08.06.2021  
71 Priory Road, Kew, Richmond, TW9 3DH, - 08.06.2021  
67 Priory Road, Kew, Richmond, TW9 3DH, - 08.06.2021  
69 Priory Road, Kew, Richmond, TW9 3DH, - 08.06.2021  
74 Bushwood Road, Kew, Richmond, TW9 3BQ, -  
70 Bushwood Road, Kew, Richmond, TW9 3BQ, - 08.06.2021

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

Status: PCO

Application: 21/2026/HOT

Date:

Single storey rear and side extension.

Development Management

Status: PDE

Application: 21/2027/HOT

Date:

Hip to Gable and rear dormer roof extension. Front dormer roof extension.

<b>Application Number</b>	<b>21/2027/HOT</b>
<b>Address</b>	<b>72 Bushwood Road Kew Richmond TW9 3BQ</b>
<b>Proposal</b>	<b>Hip to Gable and rear dormer roof extension. Front dormer roof extension.</b>
<b>Contact Officer</b>	<b>Sukhdeep Jhooti</b>
<b>Target Determination Date</b>	<b>30/07/2021</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 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 has considered 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 application site comprises a two storey, end dwellinghouse located on the south eastern side of Bushwood Road. It is situated within Kew Village.

The site falls within the Kew Green Conservation Area and is designated as follows:

- Area Benefitting Flood Defence – Environment Agency
- Conservation Area (CA2 Kew Green)
- Floodzone 2 (Fluvial/Tidal Models)
- Floodzone 3 (Fluvial/Tidal Models)
- SFRA Zone 3a High Probability (Flood Zone 3)
- Strategic Flood Risk Assessment Zone 2 Medium Probability
- Surface Water Flooding
- Village (Kew Village)
- Village Character Area (Kew Residential Roads - Area 2 & Conservation Area 2 Kew Village Planning Guidance Page 19 CHARAREA02/02/03)

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

Planning permission is sought for hip to Gable and rear dormer roof extension. Front dormer roof extension.

The planning history of the site is as follows:

- **21/2026/HOT** - Single storey rear and side extension. Pending Consideration

## 4. CONSULTATIONS CARRIED OUT

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

One objection has been received:

- Proposal would affect right to light and cause loss of light
- Proposed alterations affecting front of the house are not in keeping with the houses on the road

## 5. AMENDMENTS

Amended plans were received on 12 July 2021. These show the rear dormer to be set down from the roof ridge as part of the proposed roof plans and site plan. Previously only the rear elevations proposed showed a set down whilst the proposed roof and site plan did not. This is a technical change to the drawings and does not materially alter the scheme. Hence, a neighbour re-consultation has not been actioned.

## 6. MAIN POLICIES RELEVANT TO THE DECISION

### NPPF (2019)

The key chapters applying to the site are:

- 4. Decision-making
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding, and coastal change
- 16. Conserving and enhancing the historic environment

These policies can be found at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/810197/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf)

### London Plan (2021)

The main policies applying to the site are:

- Policy D4 – Delivering good design
- Policy D12 – Fire Safety
- Policy 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
Designated Heritage Assets	LP3	Yes
Impact on Amenity and Living Conditions	LP8	Yes
Flood Risk and Sustainable Drainage	LP21	Yes

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)

### Supplementary Planning Documents

House Extension and External Alterations  
Kew Village

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)

### 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.

## 7. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i) Design and impact on heritage assets**
- ii) Neighbour Amenity**
- iii) Flood Risk**
- iv) Fire Safety**

### Design/Visual Amenity

*Policy LP1 of the Local Plan 2018 seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area. Proposals should demonstrate an understanding of the site and its context when considering the design including layout, siting and access and the compatibility of the works to the neighbouring uses.*

*Local Plan Policy LP3 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.*

Paragraphs 193 to 196 of the NPPF states the following:

*193. 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.*

*194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*

*195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.*

*196. 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 including, where appropriate, securing its optimum viable use.*

With regard to roof extensions, the Council's SPD on House Extensions and Alterations states the following:

- *Hip to gable extensions is not desirable and will not be encouraged. This is especially so when the roof-scape and space between the buildings are important features of the character of that part of the street; and there is symmetry with the adjoining semi-detached property or within the terrace in which the building is located*
- *Avoid roof extensions in front of a house*
- *Keep roof extensions 'in-scale' with the existing structure*
- *Dormer windows and other roof extensions must not project above the ridgeline*
- *Roof extensions should not dominate the original roof*
- *Dormer windows should be smaller than that of windows of the floor below*
- *Keep existing profiles*
- *Ensure sensitivity to the existing character*
- *Match/use complementary materials*
- *Excessive use of rooflights should be avoided*

In relation to the proposed hip to gable roof enlargement, this would be visible from certain angles of the general streetscene. The existing front gabled projection and the tall chimney stack to the side would result in some obscuring of the proposed hip to gable roof extension. Moreover, the presence of a large side dormer at No. 74 results in a side slope which would appear similar to the gabled side slope proposed as part of this planning application. The presence of the mature street tree which is protected by default of being in a Conservation Area, would also partially obscure the proposal which mitigates its impact on the character and appearance of the existing house and Conservation Area. As such, whilst a hip to gable roof enlargement is not common along the street, given the above, it would not appear incongruous, intrusive or bulky when viewed from various angles of the general streetscene to warrant a refusal of planning approval.

A number of front dormer roof extensions have been implemented along the street. No. 66 has benefitted from planning permission for a front dormer under decision reference: 14/4413/HOT and No. 73 has also benefitted from planning consent under decision reference: 13/2178/HOT. No 62, 74 and 76 have had front dormers similar in design and size to what is proposed in excess of four years.

The proposed front dormer roof extension would sit comfortably within the front roofslope, would be built from complementary materials, would have a pitch roof to match existing and would not appear incongruous given the above.

The proposed rear dormer roof extension would be built with complementary materials, it would be set down from the ridge, set in from the cheeks and set back from the eaves. It would appear subservient within the rear roofslope with proportionate and well positioned windows.

The proposed development would be of a size, siting, design and scale which would preserve the character and appearance of the Conservation Area.

The proposal would comply with policy LP1, LP3 of the Local Plan and the NPPF.

### **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.*

The proposed front and rear dormer windows would not result in significant increases in the levels of overlooking compared with the existing situation. The proposed hip to gable roof extension would be contained within the roofspace of the application dwelling and would not be readily visible from the front or rear habitable room windows of No's 74 and 70 Bushwood Road. It would not project rearwards, forwards or any higher than the building line or building height of No's 74 and 70 Bushwood Road (dwellings most affect by the proposal in terms of proximity). It would not result in a demonstrable harm to the outlook and light afforded to the inhabitants of these properties. It would pass both the 45- and 25-degree angle BRE tests on daylight and sunlight.

For the above reasons it is found this scheme complies with the aims and objectives of LP8 of the Local Plan, 2018.

### **Flood Risk**

Policy LP21 of the Local Plan requires all development to minimise flood risk. In this instance, the development would be at roof level and would not lead to increased flood risk. It would comply with Policy LP21 of the Local Plan.

### **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 the Council following the Officers request. A condition will be included to ensure this is adhered to on an ongoing basis. The materials proposed 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.

**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.

**9. 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): SJH

Dated: 12/07/2021

**I agree the recommendation:**

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management / South Area Team Manager has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

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

Dated: .....19.07.2021.....