

Application reference: 21/2900/HOT HAM, PETERSHAM, RICHMOND RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
16.08.2021	16.09.2021	11.11.2021	11.11.2021

Site:

Sudbrook Lodge, Petersham Road, Ham, Richmond

Proposal:

Retrospective planning application for the construction of a shed.

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

APPLICANT NAME

Mr and Mrs Tim and Kate Slesinger
Sudbrook Lodge
Petersham Road
Ham
Richmond
TW10 5HA

AGENT NAME

Stephen Reyburn
115 White Hart Lane
Barnes
SW13 0BL

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

Consultations:**Internal/External:****Consultee**

21D Urban D
English Heritage 1st Consultation
LBRuT Trees Preservation Officer (South)

Expiry Date

08.10.2021
08.10.2021
01.10.2021

Neighbours:

The New Inn,345 Petersham Road,Ham,Richmond,TW10 7DB, -
343 Petersham Road,Ham,Richmond,TW10 7DB, -
2A Sudbrook Gardens,Ham,Richmond,TW10 7DD, -
8 Sudbrook Gardens,Ham,Richmond,TW10 7DD, -
4 Sudbrook Gardens,Ham,Richmond,TW10 7DD, -
6 Sudbrook Gardens,Ham,Richmond,TW10 7DD, -
The Old Coach House,Petersham Road,Petersham,Richmond,TW10 5HA, -
21 Sudbrook Gardens,Ham,Richmond,TW10 7DD, -

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

Status: GTD Application:01/T1844
Date:05/12/2001 Lawson Cypress Row Of 5 - Remove

Development Management

Status: GTD Application:01/T1845
Date:05/12/2001 Lime - Crown Thin By 25 . Secondary Crown Lift To 5m.

Development Management

Status: GTD Application:01/T1846
Date:05/12/2001 Tukey Oak (adjacent To Lime And Lamp Column) - Remove

Development Management

Status: GTD Application:01/T1847
Date:05/12/2001 Turkey Oak - Lightly Crown Thin And Selectively Reduce Back Overlong

Laterals To Balance Crown

<u>Development Management</u> Status: GTD Date:05/12/2001	Application:01/T1848 Prunus - Reduce By 25
<u>Development Management</u> Status: GTD Date:05/12/2001	Application:01/T1849 Beech - Selectively Reduce Back Overlong Laterals To Balance Crown
<u>Development Management</u> Status: GTD Date:05/12/2001	Application:01/T1850 Robinia - Reduce Back Overlong Southern Lateral Limb To Suitable Side Limb To Balance. Reduce Northern Overlong Lateral To Main Crown Line. Crown Clean.
<u>Development Management</u> Status: GTD Date:05/12/2001	Application:01/T1851 Apple - Reduce By 25
<u>Development Management</u> Status: GTD Date:05/12/2001	Application:01/T1852 Cherry Plum - Reduce By 25
<u>Development Management</u> Status: GTD Date:05/12/2001	Application:01/T1853 Wild Cherry - Reduce By 20
<u>Development Management</u> Status: GTD Date:05/12/2001	Application:01/T1854 Leylandii X 3 - Remove
<u>Development Management</u> Status: GTD Date:18/01/2002	Application:01/3243 Rebuilding And Enlargement Of Rear Single Storey Extension And Alterations.
<u>Development Management</u> Status: GTD Date:30/01/2002	Application:01/3244 Demolition Of Single Storey Rear Extension, Rebuilding Of Rear Extension, Alterations To Main House.
<u>Development Management</u> Status: GTD Date:05/04/2002	Application:01/3244/DD01 Details Part Pursuant To Condition Bd04u (railings And Joinery)of Planning Permission 01/3244/lbc Dated 30/01/2002.
<u>Development Management</u> Status: GTD Date:05/04/2002	Application:01/3243/DD01 Details Part Pursuant To Condition Bd04u (railings And Joinery)of Planning Permission 01/3243/ful Dated 30/01/2002.
<u>Development Management</u> Status: GTD Date:05/04/2002	Application:01/3244/DD02 Details Pursuant To Condition Ns01u (fireplaces) Of Planning Permission 01/3244/lbc Dated 30/1/2002.
<u>Development Management</u> Status: REF Date:27/08/2002	Application:02/0810 Installation Of 2 New Windows On North Elevation.
<u>Development Management</u> Status: GTD Date:12/07/2002	Application:01/3243/DD02 Details Pursuant To Condition Bd10 (brickwork) Of Planning Permission 01/3243/ful Dated 18/01/2002.
<u>Development Management</u> Status: GTD Date:12/07/2002	Application:01/3244/DD03 Details Pursuant To Condition Bd10 (brickwork) Of Planning Permission 01/3244/lbc Dated 30/01/02.
<u>Development Management</u> Status: UNK Date:11/07/1990	Application:90/0433/LBC Widening Of Kitchen Extension By 0.5m. Raising Of Side And Rear Dormers. Application For Retention Of Additional Kitchen Area And Raised Dormers.
<u>Development Management</u> Status: UNK Date:11/07/1990	Application:90/0424/FUL Widening Of Kitchen Extension By 0.5m. Raising Side And Rear Dormer

Windows. Application For Retention Of Additional Kitchen Area And Raised Dormers.

<u>Development Management</u> Status: GTD Date:09/10/1991	Application:91/1486/FUL Retrospective Application For Demolition Of Brick Boundary Wall & Retention Of Extension To Kitchen Area And Dormer Windows.
<u>Development Management</u> Status: GTD Date:04/09/1991	Application:91/1487/LBC Demolition Of Brick Boundary Wall & Retention Of Extension To Kitchen Area And Dormer Windows.
<u>Development Management</u> Status: GTD Date:24/10/1978	Application:78/0928 Erection of part 6ft 0ins part 9ft 0ins high wire mesh fencing with 9ft 0ins high concrete supports to surround a proposed tennis court.
<u>Development Management</u> Status: GTD Date:01/10/1965	Application:65/1076 Erection of a double garage.
<u>Development Management</u> Status: GTD Date:10/01/1966	Application:65/1687 Erection of double garage.
<u>Development Management</u> Status: PCO Date:	Application:05/0634/TCAVOI T1 - Lime (Tilia europaea) - Fell
<u>Development Management</u> Status: PDE Date:	Application:07/T0031/TCA T1 - Prunus avium - Thin crown and reduce by 25%
<u>Development Management</u> Status: WDN Date:17/11/2009	Application:09/2558/FUL Construction of a four bedroom house and a one bedroom house within garden of Sudbrook Lodge.
<u>Development Management</u> Status: REF Date:04/03/2011	Application:10/1151/FUL Construction of a three bedroom house within the garden of Sudbrook Lodge.
<u>Development Management</u> Status: REF Date:01/03/2012	Application:11/1146/FUL Construction of a two bedroom house within the garden of Sudbrook Lodge.
<u>Development Management</u> Status: WNA Date:10/07/2013	Application:11/1147/LBC Construction of a two bedroom house within the garden of sudbrook lodge.
<u>Development Management</u> Status: RNO Date:05/03/2012	Application:12/T0061/TCA T1 Cherry- Cut of two large branches which overhang neighbouring property- Please see attached photo.
<u>Development Management</u> Status: RNO Date:30/12/2013	Application:13/T0781/TCA T1-LIME TREE - located immediately to the left of gate if standing facing the house from the road - Crown reduction 25% T2 - BEECH TREE - located on the left hand side of front garden, along wall which forms boundary with Petersham Road - just before wooden shed - application to remove/fell tree and replace with cherry. The tree has grown massively in the past few years and is choking two other trees close by (bird cherry and turkey oak). The view from the road would be improved by replacing this with a cherry. This would continue the line of cherry trees along this wall which would be particularly attractive in spring. T3 - ROBINIA TREE - located in the front garden close to the house near to the boundary with Sudbrook Gardens. Reduce by 25%. This tree has very brittle branches and is very susceptible to wind damage. It needs pruning to prevent more serious damage through the wind.
<u>Development Management</u> Status: RNO Date:14/04/2016	Application:16/T0150/TCA T1 - Willow - Reduce crown by 1/3 & trim overhanging branches.
<u>Development Management</u> Status: PDE	Application:21/2900/HOT

Date: Construction of a shed.

Appeal

Validation Date: 26.04.2011 Construction of a three bedroom house within the garden of Sudbrook Lodge.

Reference: 11/0089/AP/REF

Building Control

Deposit Date: 18.02.2002 Single storey rear extension & internal alterations with formation of ground floor cloak-room

Reference: 02/0302/BN

Building Control

Deposit Date: 06.06.2008 Installed a Gas Boiler

Reference: 08/COR01176/CORGI

Building Control

Deposit Date: 09.07.2021 Install replacement door in a dwelling

Reference: 21/FEN00955/FENSA

Enforcement

Opened Date: 27.05.2021 Enforcement Enquiry

Reference: 21/0215/EN/UBW

Application Number	21/2900/HOT
Address	Sudbrook Lodge, Petersham Road, Ham, Richmond, TW10 5HA
Proposal	Retrospective application for the construction of a shed.
Contact Officer	Kerry McLaughlin
Target Determination Date	11.11.2021

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 proposal site is a grade II* Listed, detached property located on the eastern side of Petersham Road.

The application site is subject to the following planning constraints:

Archaeological Priority (English Heritage)	Site: Ham - Early Medieval settlement mentioned in the Domesday Book. Also includes Ham House and associated ple
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Conservation Area	CA7 Ham Common
Listed Building	Grade: II Site: Cottage To Sudbrook Lodge And Wall Petersham Road Richmond
Listed Building	Grade: IISTAR Site: Sudbrook Lodge Petersham Road Richmond Surrey TW10 5HA
Listed Building.	SUDBROOK LODGE - Grade: II* - Location of listed building or structure is identified here by Historic England.
Neighbourhood Plan Area	Ham and Petersham Neighbourhood Area - Ham and Petersham Neighbourhood Plan - Adopted by Council on 22 January 2019
Protected View (Indicative Zone)	N_View_004 View from near Ham House to Orleans House
Protected View (Indicative Zone)	N_View_005 View to Marble Hill House (north)

Take Away Management Zone	Take Away Management Zone
Village	Ham and Petersham Village
Ward	Ham, Petersham and Richmond Riverside Ward

3. RELEVANT PLANNING HISTORY

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

There is no relevant planning history associated with the site.

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 (2021)

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://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.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/new-london-plan/london-plan-2021>

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 Amenity and Living Conditions	LP8	Yes	No
Impact on Trees, Woodland and Landscape	LP16	Yes	No

These policies can be found at

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

Ham and Petersham Neighbourhood Plan (2019)

Which can be found at

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

Supplementary Planning Documents

Planning Information for Listed Buildings (2005)
House Extension and External Alterations
Ham and Petersham Village Plan

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:
CA7 Ham Common Conservation Area Statement
CA7 Ham Common 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.

7. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design/Visual Amenity
- ii Neighbour Amenity
- iii Trees

Issue i - 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.

Policy LP3 of the Local Plan 2018 covers Designated Heritage Asset and states that proposals 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.

This application seeks retrospective planning permission for the erection of a bike shed located on the eastern boundary of the application site, adjacent to No.8 Sudbrook Gardens.

The subject shed is modest in dimension (footprint and height) when viewed against the size of the garden area and footprint of the application building. It appears utilitarian as is expected for a shed, with a slopped felt roof, timber painted sides, on a concrete base. Whilst the structure has a contemporary appearance, given its single-storey nature, siting and modest footprint, the development reads as an obvious addition.

The shed is not be readily visible when viewed from various angles of the general streetscene due to existing boundary treatment, its proportions, dark colouring and surrounding vegetation. But when viewed from inside the boundary it appears as a proportionate and subordinate structure in terms of size, scale, design and siting which does not detract from the setting of the existing listed building or any nearby properties.

The shed has minimal impact on the listed building, its setting and the character of the CA. The character and fabric of the listed building is therefore not negatively affected.

The proposal is considered to preserve the setting, character and appearance of the Listed Building. Thus, the proposal complies with the aims and objectives of LP1 and LP3 of the Local Plan (2018), NPPF (2021) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Issue ii - 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.

Due to siting any neighbouring amenity impact as a result of the proposal will be limited to 8 Sudbrook Gardens only. Whilst the shed does abut the boundary line with No. 8, due to the sloping roof the shed only slightly protrudes above the boundary wall. Given the limited protrusion, modest width and positioning behind an existing outbuilding at No.8 no concerns regarding neighbouring amenity are raised in relation to this property.

Having regard to its siting, design, scale and materiality, it is not considered that the bike shed has significantly impacted upon the amenities of the neighbouring properties, in terms of visual intrusion, overbearing, loss of light or overlooking/loss of privacy and therefore no objections are raised in this regard.

The property remains solely in residential use as a result of the proposal. An undue increase in noise or pollution has not occurred as a result of the proposal.

The scheme is considered acceptable in terms of neighbour amenity. The development has not detrimentally impacted upon the amenities of any neighbouring occupiers and therefore, is in line with policy LP8 of the Local Plan (2018) and relevant Supplementary Planning Documents/Guidance.

Issue iii - Trees

Policy LP 16 of the Local Plan states 'The Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.

The location of this proposal is sited within the "CA7 Ham Common" Conservation Area, which affords trees both within and adjacent to the site of the proposal, statutory protection. However, there are currently no recorded Tree Preservation Orders (TPO) within the site of the proposal.

The supporting tree protection documentation clearly demonstrates that the incursion into the RPA of T1 (Robinia) is minimal. The recommendations and working methodologies of the submitted Tree Report are consistent with good Arboricultural practice for construction activities around trees and are in line with the British Standard BS5837 (2012) in the execution of this proposal.

The proposal is consistent with the aims and objectives of LP16, no concerns are raised with regard to the Officer Planning Report – Application 21/2900/HOT Page 8 Of 11

health and longevity of nearby trees.

Other Matters

Fire Safety

The applicant has submitted a 'Fire Safety Statement' as required under 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.

9. 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 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): KM

Dated: 22.10.2021

I agree the recommendation:

Team Leader/Head of Development Management/Principal Planner

Dated: VAA 22.10.21

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES

U0055596	Composite Informative
U0055597	NPPF APPROVAL - Para. 38-42