

Application reference: 24/0355/FUL
HAMPTON WARD

Date application received	Date made valid	Target report date	8 Week date
13.02.2024	12.04.2024	07.06.2024	07.06.2024 EOT 18.06.24

Site:

Ground Floor Flat, 7 Belgrade Road, Hampton, TW12 2AZ

Proposal:

Sash Timber windows to bay window at front of house (ground floor), matching current wooden frames including using the same style internal hardware to replace current windows that are single-glazed and painted shut.

Sash UPVC window to rear bedroom to replace and match current wooden single-glazed window.

Casement UPVC window to rear living area to replace and match current wooden single glazed window.
(Amended description)

APPLICANT NAME

Mr Adrian Monk
Flat 1
7 Belgrade Road
Hampton
TW12 2AZ
United Kingdom

AGENT NAME

DC Site Notice: printed on 16.04.2024 and posted on 26.04.2024 and due to expire on 17.05.2024

Consultations:

Internal/External:

Consultee

14D Urban D

Expiry Date

30.04.2024

Neighbours:

12 Avenue Road, Hampton, TW12 2BE, - 16.04.2024
14 Avenue Road, Hampton, TW12 2BE, - 16.04.2024
14 Belgrade Road, Hampton, TW12 2AZ, - 16.04.2024
First Floor Flat, 7 Belgrade Road, Hampton, TW12 2AZ, - 16.04.2024
16 Belgrade Road, Hampton, TW12 2AZ, - 16.04.2024
9 Belgrade Road, Hampton, TW12 2AZ, - 16.04.2024
5 Belgrade Road, Hampton, TW12 2AZ, - 16.04.2024

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

Development Management

Status: PCO

Date:

Application: 24/0355/FUL

Sash UPVC windows to bay window at front of house, matching current wooden frames including using the same style internal hardware to replace current windows that are single-glazed and painted shut. Sash UPVC window to rear bedroom to replace and match current wooden single-glazed window. Casement UPVC window to rear living area to replace and match current wooden single glazed window. Current issues to the abode has been battling with the single glazed windows since moving in, running high gas bills to heat the home and keep our new born baby warm. Our current

windows (wood) have been solidly painted shut, we cant let in air, nor allow for ventilation into the bedroom. This is trapping condensation and is leading to a build up of mold on internal beading. The babies sleep monitor is showing a high number for moisture in the room.

Building Control

Deposit Date: 13.07.2015

Reference: 15/1643/BN

Formation of a structural opening supporting chimney breast opening

Application Number	24/0355/FUL
Address	Ground Floor Flat 7 Belgrade Road Hampton TW12 2AZ
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Contact Officer	GNI
Target Determination Date	07.06.24 EOT 18.06.24

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

Belgrade Road is an early 20th century terraced house (now divided into two flats) within the Hampton Village Conservation Area on the eastern side of Belgrade Road. It is two storeys, fronted in red brick and render with stock brick to the rear under a slate roof. To the front is a two-storey canted bay window surmounted by a gable, and entrance door with timber-framed porch and slate roof. To the rear is a two-storey outrigger and single-storey side/rear extension.

The application site is situated within Hampton Village and is designated as:

Area Susceptible To Groundwater Flood - Environment Agency (Superficial Deposits Flooding - \geq 50% <75% - SSA Pool ID: 395)
Article 4 Direction Basements (Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018)
Community Infrastructure Levy Band (Low)
Conservation Area (CA12 Hampton Village)
Take Away Management Zone (Take Away Management Zone)
Village (Hampton Village)
Village Character Area (Hampton Village - Area 4 & Conservation Area 12 Hampton Village Planning Guidance Page 23 CHARAREA09/04/01)
Ward (Hampton Ward)

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises the following:

- Sash Timber windows to bay window at front of house (ground floor), matching current wooden frames including using the same style internal hardware to replace current windows that are single-glazed and painted shut.
- Sash UPVC window to rear bedroom to replace and match current wooden single-glazed window.
- Casement UPVC window to rear living area to replace and match current wooden single glazed window. (Amended description)

The application was amended on 06.06.24 to revise the bay window material from UPVC to timber in

accordance with Conservation Officer recommendations. The application was not required to be re-notified due to the minor material change which is consistent with the existing window material.

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

- 18/4233/FUL – Single-storey side and rear extension – granted permission - 05.03.19

4. CONSULTATIONS CARRIED OUT

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

No letters of representation were received.

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:

- 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 Amenity and Living Conditions	LP8	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	
		Yes	No
Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

House Extension and External Alterations
Residential Development Standards
Village Plan - Hampton

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:
Community Infrastructure Levy
Hampton Village Conservation Area Statement
Hampton Village 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.

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

i Design and impact on heritage assets

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'.

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.

The Councils SPD relating to House Extensions and External Alterations states that windows are important features and an inappropriate choice can easily spoil an otherwise satisfactory design. In recent years there has been considerable growth in window replacement companies selling uPVC windows. Timber lasts longer and is always preferable because uPVC can never fully replicate the original appearance and is unsustainable.

The proposed works include the replacement of the existing timber bay window at the front of the dwelling with a new set of timber sash windows and the replacement of two rear windows with uPVC.

The application was reviewed by Council's Conservation Unit who advised that the uPVC windows are generally inappropriate for use in Conservation Areas and are resisted across the Borough, as specified in the House Extensions and External Alterations SPD.

Council's Conservation Unit advised that the rear elevation of no.7 makes less of a contribution to the Conservation Area and is not easily visible from public vantage points. In this instance and for these reasons, the use of uPVC for the rear two windows is not objected to as they would have a very limited impact on the character and appearance of the Conservation Area. The Conservation Unit advised the replacement windows to the front elevation (bay window) should be timber to match the existing. Double glazing is acceptable; seals and spacing bars should be white to blend in with the frames and trickle vents should be concealed within the frame or sash box. The application as amended proposal now incorporates timber for this front bay window. Details of the window will be requested via condition.

Following the amendments to this application, the proposed works are considered acceptable with regard to policies LP1 and LP3 as supported by the Hampton Village Conservation Area Statement and accords with paragraph 205 of the NPPF (2023).

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.

The proposed works are for replacement windows only and as such are not anticipated to result in any additional amenity impacts.

iii Fire Safety

A Reasonable Exception Statement was received in support of the application. A condition will be included to ensure this is adhered to on an ongoing basis. The materials proposed 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
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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.

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): ...GNI.....

Dated:14.06.24.....

I agree the recommendation: EL

Team Leader/Head of Development Management/Principal Planner

Dated: 18/06/2024.....