

## PLANNING REPORT

Printed for officer by Matt Bayly on 22 July 2024

# Application reference: 24/0661/HOT HAMPTON NORTH WARD

Date application received	Date made valid	Target report date	8 Week date
12.03.2024	18.03.2024	13.05.2024	13.05.2024

#### Site:

323 Hanworth Road, Hampton, TW12 3EJ,

## Proposal:

Single storey rear extension with timber lantern roof, single storey side extension, removal of the rearmost chimney on the two-storey outrigger. replacing the rainwater drainage pipes with metal fittings. new roof and replacement doors to the existing single storey outrigger. Replace existing windows with sash timber windows.

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

APPLICANT NAME Mr and Mrs Reeves 323 Hanworth Road Hampton Richmond Upon Thames

TW12 3EJ

**AGENT NAME** 

Mr. Frank Smith 27 Nevis Park Inverness IV3 8RX

United Kingdom

DC Site Notice: printed on 21.03.2024 and posted on 29.03.2024 and due to expire on 19.04.2024

Consultations: Internal/External:

> Consultee **Expiry Date** 14D Urban D 04.04.2024 LBRuT Trees Preservation Officer (North) 04.04.2024

## **Neighbours:**

258 Hanworth Road, Hampton, TW12 3EP, - 21.03.2024

256 Hanworth Road, Hampton, TW12 3EP, - 21.03.2024

260 Hanworth Road, Hampton, TW12 3EP, - 21.03.2024

327 Hanworth Road, Hampton, TW12 3EJ, -

319 Hanworth Road, Hampton, TW12 3EJ, - 21.03.2024

Squirrels Lodge, 200 Buckingham Road, Hampton, TW12 3JX, - 21.03.2024

319A Hanworth Road, Hampton, TW12 3EJ, - 21.03.2024

107 Rectory Grove, Hampton, TW12 1EG -

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

**Development Management** 

Status: TPOP Application:22/T0137/TCA Date:31/03/2022 T1 - Oak - Fell T2 - Oak - Fell **Development Management** 

Status: INV Date:

Application:23/T0529/TPO

Tree species: Oak Number used on the sketch plan: T1153 (see Figs 1 to 4 in Appendix A for sketch plan) Description of the proposed works: Felling of tree T1153 (formerly known as T1131 under previous provisional TPO - please note that certain of the reports attached refer to the same tree using this former reference) Reasons for the work: Tree T1153 is interfering with the reasonable use and enjoyment of our home because it is causing subsidence. Replanting proposal: We will consider the replanting of a replacement tree in the local area however we will not consider replanting any replacement oak trees within 30m of our property given the possibility of further structural damage to our home in the future.

**Development Management** 

Status: PCO Date:

Application:24/0661/HOT

Single storey rear extension with timber lantern roof. single storey side extension. removal of the rearmost chimney on the two-storey outrigger. replacing the rainwater drainage pipes with metal fittings. new roof and replacement doors to the existing single storey outrigger. Replace existing windows with sash timber windows.

**Building Control** 

Deposit Date: 26.02.2016 Install a gas-fired boiler

Reference: 16/FEN01116/GASAFE

**Building Control** 

Deposit Date: 23.01.2018 0 X window and 1 X door

Reference: 18/TR0001/TRADA

**Building Control** 

Deposit Date: 16.11.2020 Installation of thru floor lift from ground floor breakfast room to first

floor bedroom/office

Reference: 20/1526/BN

Application Number	24/0661/HOT
Address	323 Hanworth Road Hampton TW12 3EJ
Proposal	Single storey rear extension with timber lantern roof and a raised patio (250mm). single storey side extension. removal of the rearmost chimney on the two-storey outrigger. replacing the rainwater drainage pipes with metal fittings. new roof and replacement doors to the existing single storey outrigger. Replace existing windows with sash timber windows.
Contact Officer	Matt Bayly
Target Determination Date	25/07/2024

#### 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 subject site located on the southern side of Hanworth Road holds a Building of Townscape Merit (BTM) within the Hanworth Road Conservation Area. The site has a large curtilage of approximately  $1000m^2$  and features a large mature oak tree in the front yard. TPO T1153 provides statutory tree protection for the oak tree. CA 65 Hanworth road provides statutory tree protection at this site. Whilst not protected, there are four other trees of note in the back yard.

This area is dominated by large, detached properties on the west side of Hanworth Road, dating from the end of the 19th century and the early 20th, with extensive mature gardens and trees to the front and rear; the gaps between the villas allow important views to the backdrop of trees from Hanworth Road. Most older buildings are designated Buildings of Townscape Merit.

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

- Area Susceptible To Groundwater Flood Environment Agency (Superficial Deposits Flooding ->= 75% SSA Pool ID: 255)
- Article 4 Direction Basements (Article 4 Direction Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018)
- Building of Townscape Merit (Site: 323 Hanworth Road Hampton Middlesex TW12 3EJ)
- Community Infrastructure Levy Band (Low)
- Conservation Area (CA65 Hanworth Road Hampton)
- Risk of Flooding from Surface Water 1 in 1000 chance Environment Agency (RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 40250)
- Surface Water Flooding (Area Less Susceptible to) Environment Agency
- Surface Water Flooding (Area Less Susceptible to) Environment Agency
- Take Away Management Zone (Take Away Management Zone)
- TPO (REF: T1131 T1 Oak Tree Quercus sp)
- TPO (REF: T1139 T1 Oak Tree Quercus sp)
- TPO (REF: T1153 T1 Oak Tree Quercus sp)
- Village (Hampton Village)

- Village Character Area (Hanworth Road Area 13 & Conservation Area 65 Hampton Village Planning Guidance Page 43 CHARAREA09/13/01)
- Ward (Hampton North Ward)

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

The proposed development comprises:

- A single storey rear extension featuring a timber lantern roof.
- A single storey side extension.
- Removal of the rearmost chimney on the two-storey outrigger.
- Replacing the rainwater drainage pipes with metal fittings.
- New roof and replacement doors to the existing single storey outrigger.
- Replace existing windows with sash timber windows.
- Raised patio (250mm) surrounding the proposed rear extension.
- All elements of the proposal are proposed to match existing.

The comprehensive list of planning history can be found above.

#### Amendments

Following recommendations from Council's Conservation Officer and Arboriculture Officer the applicant submitted amended plans and reports in support of the application:

- An amended tree protection area around TPO T1153 and an amended tree protection plan, thereby, demonstrating how roots will be preserved and protected throughout the construction works.
- It was originally proposed to demolish all chimneys which was reduced to the rear outrigger chimney only.
- The width of the proposed rear extension was reduced so there is no overhang.
- Details on materiality and window specifications was received in order for the Council's Conservation Officer to compare against the existing dwellinghouse.

#### 4. CONSULTATIONS CARRIED OUT

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

Two letters of representation were received.

One letter of objection was received, and the comments can be summarised as follows:

Objection to the felling of the oak tree TPO T1153.

Officer Comment: It is noted that tree felling is not involved in this application. A Protection Plan has been submitted in support of the application and is publicly viewable.

One letter of support was received, and the comments can be summarised as follows:

• I live next door to the site of proposed works and fully support the plans

## Internal Consultation

The application was circulated to Council's Conservation and Arboriculture Officers. Their comments are discussed in Section 6, however, it is noted that they have no objection to the proposal having reviewed the amendments.

## 5. MAIN POLICIES RELEVANT TO THE DECISION

## NPPF (2023)

The key chapters applying to the site are:

D4 Delivering good design D6 Housing quality and standards D12 Fire Safety

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	Comp	Compliance	
Local Character and Design Quality	LP1,	Yes	No	
Designated Heritage Asset	LP3	Yes	No	
Non-Designated Heritage Assets	LP4	Yes	No	
Impact on Amenity and Living Conditions	LP8	Yes	No	
Impact on Trees, Woodland and Landscape	LP16	Yes	No	
Impact on Flood Risk and Sustainable Drainage	LP21	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 will be addressed in more detail in the assessment below if/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	
Flood risk and sustainable drainage	8	Yes	No
Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No
Non-Designated Heritage Assets	30	Yes	No
Trees, Woodland and Landscape	42	Yes	No

Amenity and living conditions	46	Yes	No

These policies can be found at

https://www.richmond.gov.uk/media/16749/hpn\_plan\_2018\_to\_2033\_january\_2019.pdf

## **Supplementary Planning Documents**

Hanworth Road - Area 13 & Conservation Area 65 Hampton Village Planning Guidance Buildings of Townscape Merit SPD (May 2015) Design Quality SPD (February 2006) Housing Extensions and External Alterations SPD (May 2015)

These policies can be found at:

https://www.richmond.gov.uk/services/planning/planning\_policy/local\_plan/supplementary\_planning\_d ocuments\_and\_guidance

## **Biodiversity Net Gain**

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be the London Borough of Richmond upon Thames.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the proposal is development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A 'householder application' means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

#### **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 Flood Risk
- iv Fire Safety

#### v Trees

## i Design and impact on heritage assets

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: 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.

Local Plan Policy LP4 states: The Council will seek to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit, memorials, particularly war memorials, and other local historic features.

Paragraph 199 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 202 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, whilst the proposal would lead to less than substantial harm to the setting, character and appearance of the conservation area, there is no public benefit arising from the proposal as such it is contrary to the NPPF.

Council's Conservation Officer reviewed the proposal and removed their previous objection to the proposal based on the applicant amending the scale, design and materials of the proposal to be in keeping with the host dwelling.

The SPD for Housing Extensions and External Alterations states that: the overall shape, size and position of side and rear extensions should not dominate the existing house or its neighbours. They should harmonise with the original appearance, which should be taken as the starting point for any future changes.

#### Side extension

The proposed side extension infills a gap between the main house and the outrigger element. The design and scale of which will be compatible with the existing house in terms of size, materiality and appearance.

The set back of this element is a positive approach and a key element contributing to its subservience to the main dwelling. The roof height, set at approximately 2.5m, supports subservience also. Materials are proposed to match existing which supports reflecting the existing character and detail of the host dwellinghouse.

## Rear extension

The proposed rear extension features a brick plinth and extensive glazing including a timber lantern roof. It infills a gap between the main house and the rear outrigger element. The design and scale of the extension will be compatible with the existing house in terms of size, materiality and appearance. The width of the extension is confined to that of the original dwellinghouse, and the proposed eaves are set at the height of the existing single storey outrigger element. Materials are proposed to match existing which supports reflecting the existing character and detail of the host dwellinghouse.

The proposed extension involves a paved patio. The patio will extend to the rear elevation of the

existing rear outrigger which is considered to be a compatible layout that connects the rear store, proposed extension and side garage. The patio is raised to a maximum height of 250mm above ground level to match the internal floor level which is considered to be acceptable. The rear garden will still have sufficient space meeting the 70m<sup>2</sup> SPD size guidance for dwellings with over three bedrooms.

## Chimney removal

The chimney proposed for removal is located to the rear of the dwelling and not visible from any public vantage points. It is the smallest of three chimneys and the loss of it will not cause harm to the character of the host dwelling as assessed by Council's Conservation Officer.

#### Fenestration and other external alterations

The proposal involves: the replacement of five windows on the front, rear and side elevations with timber sash windows painted white; a new roof and replacement doors to the existing single storey outrigger; and replacement of external water pipes with metal rainwater goods.

The external alterations which include material and window specifications have been reviewed by Council's Conservation Officer (in addition to the proposed additions) who supports the changes as they reflect the existing character and detail of the host dwellinghouse. Subsequently, proposed materials do not need further approval from Council prior to works commencing.

#### Conclusion

In view of the above, the proposal complies with the aims and objections of policy LP1, LP3 and LP4 of the Local Plan and LP28, LP29 and LP30 of the Publication Local Plan.

## 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.

Policy LP46 of the Publication Local Plan requires proposals to:

- Ensure the design and layout of buildings does not have an unacceptable impact on levels of daylight and sunlight on the host building or neighbouring properties, including gardens and outdoor spaces; where existing daylight and sunlight conditions are already substandard, they should be improved where possible;
- Ensure that adequate outlooks are provided for new occupants, and that heights, massing and siting of new development retains adequate outlooks for neighbouring occupants, voiding any undue sense of enclosure;
- Ensure that acceptable standards of privacy are provided and retained, without a diminution
  of the design quality; development should not result in unacceptable levels of overlooking (or
  perceived overlooking); balconies should not cause unacceptable overlooking or noise or
  disturbance to nearby occupiers;
- 4. Ensure that proposals are not visually intrusive or have an overbearing impact as a result of their height, massing or siting; visual amenity from adjoining sites and from the public realm should not be unacceptably compromised;
- 5. Ensure there is no harm to the reasonable enjoyment of the use of buildings, gardens and other spaces due to increases in traffic, servicing, parking, noise, light, disturbance, air pollution, odours or vibration or local micro-climate effects;
- 6. Provide adequate outdoor amenity space for new occupiers in accordance with Policy 13 'Housing Mix and Standards', which is free from excessive noise or disturbance, pollution, odour, sense of enclosure, unacceptable loss of privacy, wind and overshadowing.

The SPD on House Extensions and External Alterations notes that generally an extension of 4m in depth for a detached property will be acceptable. Where the proposed extension seeks a larger depth,

the eaves should be reduced to 2.2m at the shared boundary to mitigate detrimental impact on neighbours such as sense of enclosure or overbearing. However, the final test of acceptability is dependent on the specific circumstances of the site which may justify greater rear projection.

#### 319 Hanworth Road

The proposed side extension would be located adjacent to the side elevation of the neighbouring property and would not cause undue harm to the amenity of persons at no.319:

- The single storey aspect would negate potential dominance effects;
- The proposal is northwest of these neighbours therefore shading impacts are not anticipated;
- Proposed windows are located as to not coincide with neighbouring outlooks; and
- The remainder of the proposal would be screened by the existing rear outrigger.

#### 327 Hanworth Road

The proposal would not cause undue harm to the amenity of persons at no.327:

- The proposal would not project beyond the rear elevation of the neighbouring property;
- The proposal maintains a separation distance of approximately 5m from the proposal;
- The proposed side facing windows would face the neighbouring side elevation which does not hold any primary outlooks. There is also an existing privacy fence between the properties which would prevent overlooking at ground floor;
- The level of the raised patio (250mm) would be sufficient to protect the privacy of neighbours from overlooking. It is noted that there is an existing privacy fence in place between the properties; and
- The remainder of the proposal would be screened by the existing dwellinghouse.

In view of the above, the proposal complies with the aims and objections of policy LP8 of the Local Plan and Policy LP46 of the Publication Local Plan.

#### iii Flood Risk

Local Plan Policy LP21 states that All developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere. Development will be guided to areas of lower risk by applying the 'Sequential Test' as set out in national policy guidance, and where necessary, the 'Exception Test' will be applied. Unacceptable developments and land uses will be refused in line with national policy and guidance.

Whilst the site is not located within flood zone 2 or 3, other flood-related hazards are listed as present.

The applicant has submitted a flood risk assessment in support of the application confirming and that flood proofing will be incorporated where appropriate, in accordance with Environmental Agency guidance, and that the proposal will not increase the risk of flooding to others.

Accordingly, any contribution to flood sources is considered to be minimal and there will be no increase in safety risk to occupants. The proposal is therefore consistent with LP21.

## 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 the Council on 12 March 2024. A condition will be included to ensure this is adhered to on an ongoing basis. The scheme can therefore be considered consistent with this Policy D12 of the London Plan.

#### v Trees

Local Plan policy LP16, subsection 5 requires; "That trees are adequately protected throughout the course of development, in accordance with British Standard 5837 - Trees in relation to design, demolition and construction, Recommendations (2012)."

The proposed development does not require the pruning or removal of any trees. Council's Arboriculture Officer reviewed the amended Tree Protection Plan, Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement, concluding that the proposed tree protection measures regarding TPO T1153 are sufficient to confirm its on-going protection and to justify the approval of the application.

In view of the above, the proposal complies with the aims and objections of policy LP16 of the Local Plan and Policy LP42 of the Publication Local 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. 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**

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.

# Recommendation:

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

I therefor	e recommend the following:		
1.	REFUSAL		
2. 3.	PERMISSION FORWARD TO COMMITTEE		
This appli	cation is CIL liable	YES* (*If yes, complete	NO te CIL tab in Uniform)
This appli	cation requires a Legal Agreement	YES* (*If yes, complete	NO te Development Condition Monitoring in Uniform)
	cation has representations online e not on the file)	YES	■ NO
This appli	cation has representations on file	YES	□NO
Case Offic	cer (Initials):MBA	Dated:22/	07/2024
I agree th	e recommendation:		
	ader/Head of Development Managem	ent/Principal Pl	anner
The Head application delegated Head of D	of Development Management has co	onsidered those e to the Plannir	contrary to the officer recommendation. e representations and concluded that the ng Committee in conjunction with existing
REASO	NS:		
CONDIT	TONS:		
INFORM	IATIVES:		
UDP PO	LICIES:		
OTHER	POLICIES:		

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# **SUMMARY OF CONDITIONS AND INFORMATIVES**

CONDITIONS			

# **INFORMATIVES**

BNG02

Biodiversity Gain Plan No Pre-Approval