

Application reference: 24/1606/HOT
NORTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
25.06.2024	28.06.2024	23.08.2024	23.08.2024

Site:

3 Sheendale Road, Richmond, TW9 2JJ,

Proposal:

Proposed Rear Ground Floor Extension with Roof Lights and Fenestration

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

APPLICANT NAME

Craig Strong
3 Sheendale Road
Richmond
Richmond Upon Thames
TW9 2JJ

AGENT NAME

Tim Houlihan
Office G09, West Link House
981 Great West Road
Brentford
TW8 9DN

DC Site Notice: printed on 29.06.2024 and posted on 05.07.2024 and due to expire on 26.07.2024

Consultations:

Internal/External:

Consultee
14D Urban D

Expiry Date
13.07.2024

Neighbours:

4 Sheendale Road, Richmond, TW9 2JJ, - 29.06.2024
2 Sheendale Road, Richmond, TW9 2JJ, - 29.06.2024

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

Development Management

Status: GTD Application: 04/T0992
Date: 29/06/2004 Eucalyptus - Fell.

Development Management

Status: PDE Application: 07/T0487/TCA
Date: T1 - Rowan (Sorbus acuparia) - Remove and replace.

Development Management

Status: GTD Application: 10/2700/HOT
Date: 08/03/2011 Single storey rear extension and garage at rear.

Development Management

Status: RNO Application: 21/T0331/TCA
Date: 18/05/2021
remove x2 Holly trees in our garden at our cost to conform with the conservation area guidance. The reasons for this request is primarily based on health and safety reasons, but also includes increasing light into the garden as no vegetation is able to grow around the base. These are further explained below: 1. Our neighbours at number 4 have a new born baby and a young toddler, and feedback has surfaced that the sharp holly leaves are a danger for young children playing in their garden. The sharp Holly leaves which are deposited across the garden of number 3 and 4, which travel

further when displaced with the wind, have high potential for inflicting serious injury and causing bodily harm. We have also experienced the same concerns with children and pets playing in our garden, where we have had to treat minor wounds. Removing these trees mitigates the health and safety risk observed. 2. Both Holly trees which stand approximately 3.5 meters high, are negatively impacting the surrounding fauna. The light restriction coupled with a dominant circumference of 2 meters from the trunk/base, make it impossible for other plants to thrive. We plan to replace the trees with boundary planting and shrubs which are non-hazardous and less dominant for surrounding species. This application is for the removal of x2 Holly Trees at the specified address (Holly Tree 1 and Holly Tree 2 on the attached sketched diagram). The work will be carried out by a registered tree surgeon to ensure the works carried out will be safe and professional, considering safety and limiting any damage on surrounding fauna.

Development Management

Status: PDE

Date:

Application:24/1606/HOT

Proposed Rear Ground Floor Extension with Internal Structural Alterations, Roof Lights and Fenestration

Building Control

Deposit Date: 26.07.2006

Extension to circuit (in kitchen special location/ installation) Ring/ radial power circuit Dwelling house Kitchen

Reference: 07/NIC01987/NICEIC

Building Control

Deposit Date: 06.03.2014

First floor side and single storey rear extensions

Reference: 14/0466/FP

Building Control

Deposit Date: 29.01.2021

Install a gas-fired boiler

Reference: 21/FEN02446/GASAFE

Building Control

Deposit Date: 13.01.2022

Install replacement windows in a dwelling

Reference: 22/FEN00137/FENSA

Building Control

Deposit Date: 23.01.2022

Circuit alteration or addition in a special location

Reference: 22/NIC00432/NICEIC

Application Number	24/1606/HOT
Address	3 Sheendale Road, Richmond, TW9 2JJ
Proposal	Proposed Rear Ground Floor Extension with Internal Structural Alterations, Roof Lights and Fenestration
Contact Officer	Izabela Moorhouse
Target Determination Date	23/08/2024

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 site comprises a two-storey semi-detached dwelling located on the northern end of Sheendale Road. The property is not listed, though it does constitute a Building of Townscape Merit (BTM) and is designated within the Sheendale Road Conservation Area. It is subject to the following constraints:

- Area Susceptible to Groundwater Flooding >=75%
- Article 4 Direction Basements – Basements
- Critical Drainage Area
- Increased Potential Elevated Groundwater
- Richmon Town Centre Boundary Buffer Zone
- Risk of Flooding from Surface Water 1 in 1000 chance
- Throughflow Catchment Area
- Richmond and Richmond Hill Village
- Sheendale Road Castelnau Village Character Area

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises the *“Proposed Rear Ground Floor Extension with Internal Structural Alterations, Roof Lights and Fenestration”*.

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

10/2700/HOT – Single storey rear extension and garage at rear – **Granted**.

4. CONSULTATIONS CARRIED OUT

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

No letters of representation were received.

Neighbour amenity considerations are assessed under Section 6 (impact on neighbour amenity) in the report below.

AMENDMENTS

Following officer comment, the applicant submitted amended drawings decreasing the depth of the extension in order to safeguard the amenity of neighbouring properties. Neighbours were not reconulted as it did not materially alter the planning application.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

- 4. Decision-making
- 11. Making effective use of land
- 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
Designated Heritage Asset	LP3	Yes	No
Non-Designated Heritage Asset	LP4	Yes	No
Impact on Amenity and Living Conditions	LP8	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 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	
Flood Risk and Sustainable Drainage	8	Yes	No
Local Character and Design Quality	28	Yes	No
Designated Heritage Asset	29	Yes	No
Non-Designated Heritage Asset	30	Yes	No
Amenity and Living Conditions	46	Yes	No

Supplementary Planning Documents

Design Quality
House Extension and External Alterations
Richmond and Richmond Hill Village Planning Guidance

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
Sheendale Road Conservation Area Statement and 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.

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.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage
- ii Impact on neighbour amenity
- iii Flood Risk
- iv Fire Safety

i Design and impact on heritage

Policy LP1 states that the Council will require all development to be of a high architectural and urban design quality. The high-quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate a thorough

understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces, and the local area. Development must respect, contribute to, and enhance the local environment and character.

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. The significance of the borough's designated heritage assets should be conserved and enhanced. All proposals in Conservation Areas are required to preserve and, where possible, enhance the character or appearance of the Conservation Area.

Policy LP4 seeks to preserve the significance of BTMs.

The Councils SPD relating to House Extensions and External Alterations encourages the retention of the original form of the host property and any alterations should enhance the quality of the building. The original appearance should always be the reference point when considering any changes. In terms of extensions, they should not dominate the existing house and should harmonise with the original appearance.

The Councils SPD relating to House 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. It should harmonise with the original appearance, either by integrating with the house or being made to appear as an obvious addition.

The proposal seeks permission to construct a flat roof, single storey rear extension across the length of the property. The extension would be formed in stock brick to match the existing dwelling with a zinc roof featuring four rooflights along the length of the roof. The roof of the extension would not exceed the cill of the first-floor rear windows and would therefore maintain subservience to the main dwelling. In terms of the immediate locality, rear extensions are a common feature and therefore the extension would not appear unduly out of character. In terms of depth, although it projects further than the existing extensions along the row, the proposed depth is not such that would warrant reason for refusal.

A set of black aluminium bi-folding doors are proposed. The fenestration design is considered acceptable as it retains verticality and a satisfactory window hierarchy. The brick finish reflects that of the existing dwelling and the doors demonstrate the extension is a modern counterpart to the existing dwelling. The extension would not adversely impact the character of the existing dwelling or the surrounding area.

In view of the above, the proposal complies with the aims and objectives of policies LP1, LP3 and LP4 of the Local Plan and policies 28, 29 and 30 of the Publication Local Plan as supported by the Richmond and Richmond Hill Village Planning Guidance.

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 SPD on House Extensions and External Alterations notes that generally an extension of 3.5m in depth for a semi-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.

The site is adjoined by no. 4 to the south and neighboured by no. 2 to the north. Given distance, the residents of Crofton Terrace and West Sheen Vale to the rear would not be impacted as a result of the development.

Single story rear extension

The council SPD states that rear extensions "should project no further than 3.5m in the case of a semi-detached dwellinghouse" in order to prevent a negative impact on neighbour amenity. Where the depth exceeds the previously outlined depth, the eaves height should be limited to 2.2m to mitigate the sense of enclosure.

The proposed rear extension extends approximately 1.95m beyond the rear elevation of no.4 which is considered SPD compliant and therefore would not have an adverse impact on the residents.

In terms of no. 2, the proposed rear extension would extend approximately 4m beyond the rear elevation however the height of the last 0.5m of the extension has been limited to 2.2m which would decrease the sense of enclosure and visual impact of the extension. It is considered to mitigate the impacts of the extension and therefore is considered acceptable. The internal layout of no 2 is noted with a second set of fenestration on the projecting single storey extension serving the room with the doors adjacent to the proposed development.

As such, the proposal complies with the aims and objectives of the Local Plan policies LP8 and policy 46 of the Publication Local Plan and with the requirements of the adopted Development Control for Noise Generating and Noise Sensitive Development SPD.

iii Flood Risk

Policy LP21 states that all development should avoid, or minimise, contributing to all sources of flooding, taking account of climate change and without flood risk elsewhere.

A Flood Risk Assessment has been submitted to the Council – received 25/06/2024.

The site is located within various other flood risk constraints, as listed in the first section. The proposals include a modest increase in floorspace with the ground floor internal finished floor levels remaining at the existing level. As such, it is not considered that any additional risk to flooding would arise, thus the proposal complies with policy LP21.

iv Fire Safety

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

A Fire Safety Report has been submitted to the council – received 25/06/2024.

A condition has been included to ensure this is adhered to on an ongoing basis. The applicant is advised that alterations to existing buildings should comply with the Building Regulations. 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 subject to condition

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):IZM..... Dated:06/08/2024.....

I agree the recommendation:

South Area Team Manager:ND.....

Dated:07.08.2024.....