

Application reference: 24/1579/HOT
HAMPTON WICK AND SOUTH TEDDINGTON WARD

Date application received	Date made valid	Target report date	8 Week date
21.06.2024	21.06.2024	16.08.2024	16.08.2024

Site:

51 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS

Proposal:

Proposed single storey rear extension.

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

APPLICANT NAME

Ms Quamina
51 Park Road
Hampton Wick
Richmond Upon Thames
KT1 4AS

AGENT NAME

Sam Kamleh
The Powder Rooms
69-71 Broad Street
Teddington
TW11 8QZ
United Kingdom

DC Site Notice: printed on 24.06.2024 and posted on 05.07.2024 and due to expire on 26.07.2024

Consultations:

Internal/External:

Consultee

14D Urban D

Expiry Date

08.07.2024

Neighbours:

- 20 Church Grove, Hampton Wick, Kingston Upon Thames, KT1 4AL, - 24.06.2024
- 22 Church Grove, Hampton Wick, Kingston Upon Thames, KT1 4AL, - 24.06.2024
- 18 Church Grove, Hampton Wick, Kingston Upon Thames, KT1 4AL, - 24.06.2024
- 53 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS, - 24.06.2024
- 49 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS, - 24.06.2024

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

Development Management

Status: REF

Date: 30/03/2017

Application: 17/0103/HOT

Part two-storey and part single-storey rear extension. Single-storey side/rear extension.

Development Management

Status: REF

Date: 05/06/2024

Application: 24/0988/PS192

Proposed single storey rear extension.

Development Management

Status: PCO

Date:

Application: 24/1579/HOT

Proposed single storey rear extension.

Development Management

Status: PCO

Application: 24/T0557/TCA

Date: T1. Dead Cherry Details: Rear Garden: Fell in sections to ground level. The tree's current height is 6m and crown spread is 4m After the proposed works, the tree's height is 0.0m and the crown spread is 0.0m T2. Cherry Details: Rear Garden: Reduce height by 2m and spread by 1m to balance crown. The tree's current height is 8m and crown spread is 7m After the proposed works, the tree's height is 6m and the crown spread is 6m.

Application Number	24/1579/HOT
Address	51 Park Road, Hampton Wick, Kingston Upon Thames, KT1 4AS
Proposal	Proposed single storey rear extension (as per application form)
Contact Officer	GAP
Target Determination Date	16.08.2024

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 application site relates to a terraced property located on an irregular shaped plot, on Park Road in Hampton Wick Village, Hampton Wick Ward, which is predominantly residential in character.

The site falls within the CA18 Hampton Wick Conservation Area (CA) and adjoins No. 2 locally listed buildings (BTMs), namely Nos. 47 and 49 Park Road, sited to its east. The site is in an area of Archaeological Priority (Hampton Wick). Given the proposals would not require excavation works and would be alterations and extensions to an existing dwelling part of an established residential area, it is anticipated that the Area of Archaeological Priority would not be affected by the scheme.

Nos. 24 to 30, facing the proposal's site, are designated as Grade II Listed Buildings. No. 40 Park Road west of the site is also Grade II Listed. Given the location of the proposals in relation to these listed buildings, it is anticipated that the Grade II Listed Buildings and their settings would not be affected by these proposals.

The application is in an Area Susceptible to Groundwater Flood - Environment Agency (Superficial Deposits Flooding - >= 50%).

No TPOs (protected trees) are present within the grounds of the application site nor within its surroundings.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises a single storey rear extension, replacing the existing single storey lean-to-roof extension, and fenestration alterations and additions to the existing extensions.

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

24/0988/PS192 - Proposed single storey rear extension - Refused 05/06/2024.

Reason for Refusal

This proposal CONSTITUTES DEVELOPMENT within the meaning of Section 55 of the Town and Country Planning Act 1990, and a planning application IS REQUIRED. This is because it does not meet criteria laid down in the Town and Country Planning (General Permitted Development) (England) Order 2015 and any subsequent legislative amendments, namely:

The proposal is considered not to be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990, given such proposal fails to meet the requirements of Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), namely:

A.1(f): The proposed extension would replace an existing extension not part of the original dwelling house and exceed the required 3m in depth. The proposed extension would be attached to an existing extension and would exceed the required 4m in height.

A.1(h): The proposed extension would have more than a single storey, in being attached to an existing extension not part of the original dwelling, and extend beyond the rear wall of the original dwellinghouse by more than 3m.

A.1(i): The proposed extension would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3m, in being attached to an existing extension not part of the original dwelling.

A.1(j): The proposed extension would extend beyond a wall forming a side elevation of the original dwellinghouse, in being attached to existing extensions not part of the original dwelling, and would-

(i) exceed 4m in height,

(ii) have more than a single storey, and

(iii) have a width greater than half the width of the original dwellinghouse.

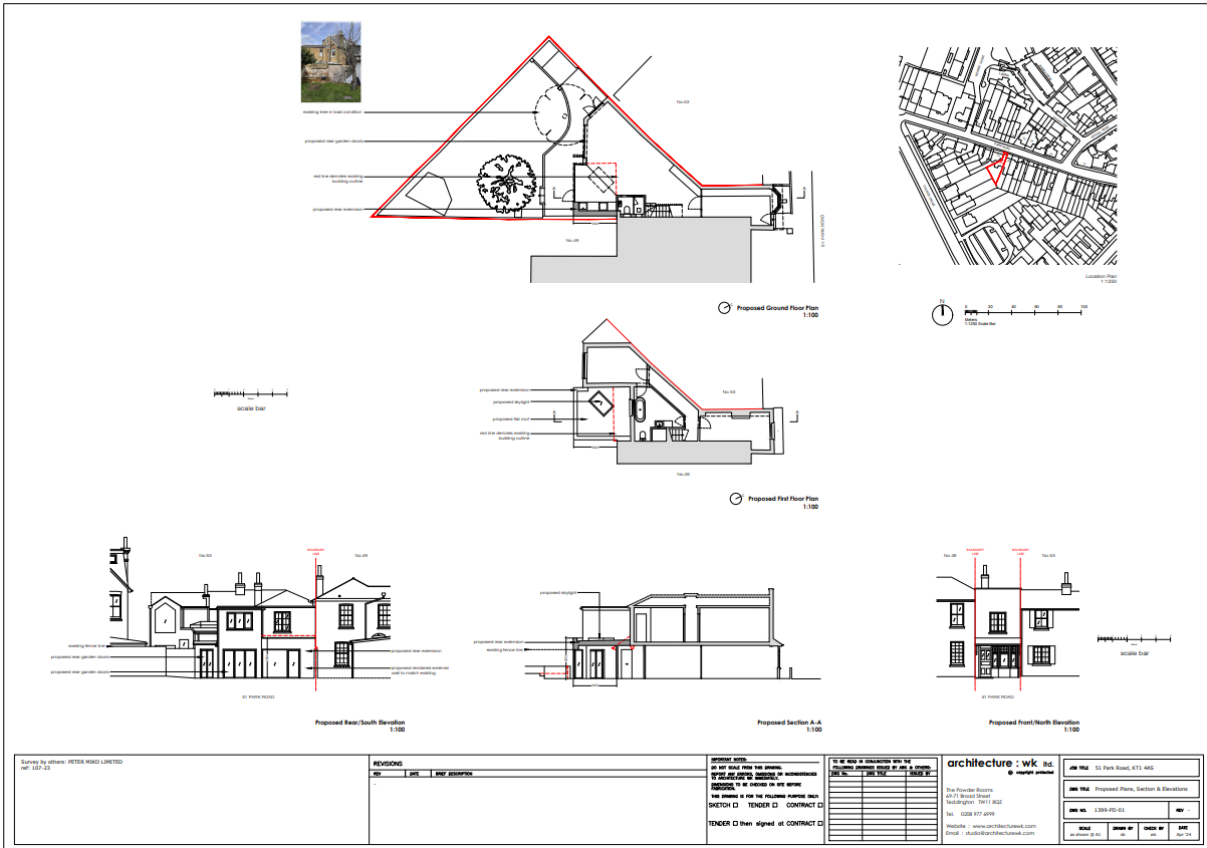
A.1(ja): The proposed extension together with the existing enlargements of the dwellinghouse to which it will be joined would exceed the limits set out in sub-paragraphs A.1(e) to A.1(j).

A.2(a): The extension is proposed to be rendered as per submitted Drawing No. 1399-PD-01 received 17/04/2024.

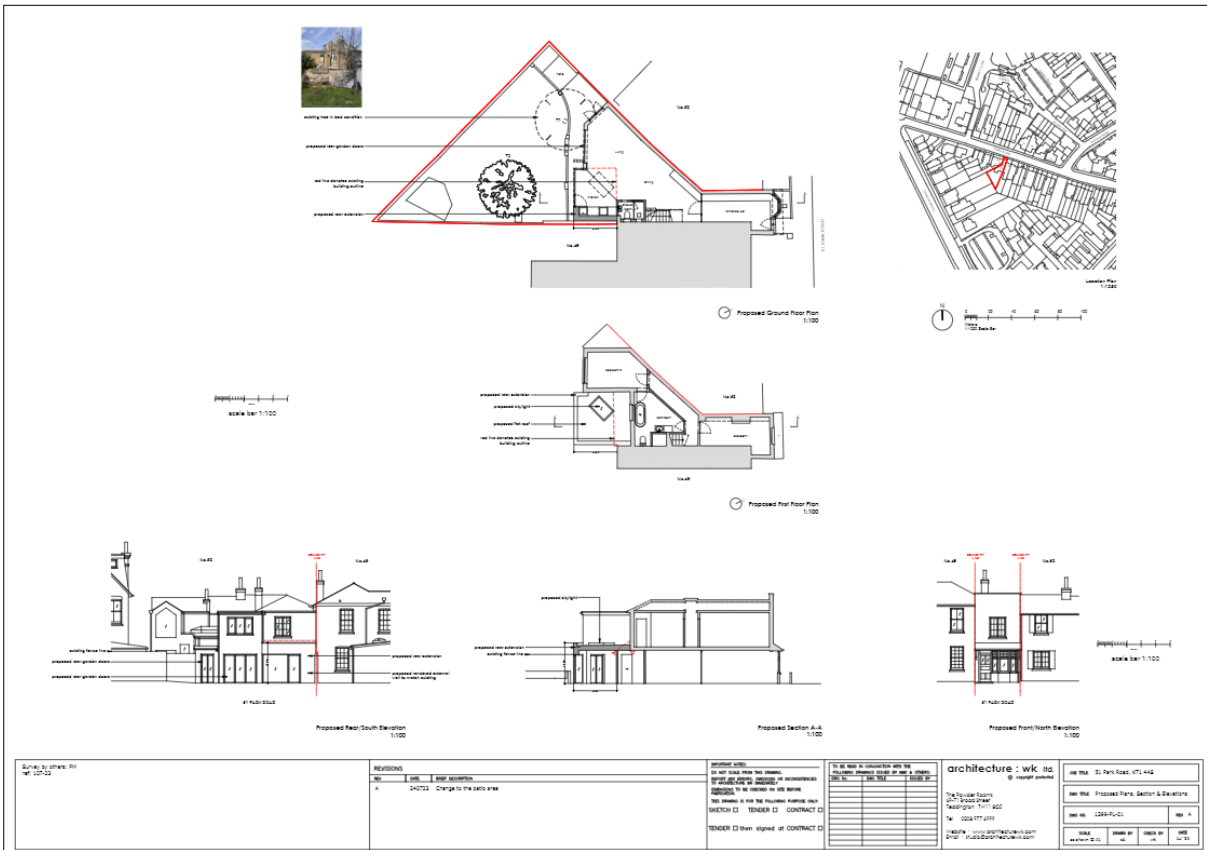
A.2(b): The proposed extension would extend beyond a wall forming a side elevation of the original dwellinghouse (the proposed extension + the existing extensions not part of the original dwelling).

A.2(c): The proposed extension would have more than a single storey and extend beyond the rear wall of the original dwellinghouse (the proposed extension + the existing extension).

A.2(d): The proposed extension together with the existing enlargements of the original dwellinghouse to which it will be joined would exceed the limits set out in sub-paragraphs A.2(b) and A.2(c).



Refused Scheme



Proposed Scheme

The refused proposal and the current scheme are identical apart from the alterations to the existing patio that would have resulted in such amended patio to be within the root protection areas of tree T2 and further in the root protection area of tree T1.

The alterations to the existing patio have been removed from the current proposal following advice of the Case Officer concerned about the impact of these on the protected trees T1 and T2 given such being in a conservation area.

The proposed single storey rear extension would be sited on the existing patio and therefore risks for T1 and T2 are not anticipated.

4. CONSULTATIONS CARRIED OUT

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

No letters of representation were received.

The Council's Urban Design Team was consulted as part of this application and their comments are included in the main body of this report.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

16. Conserving and enhancing the historic environment

The NPPF (2023) can be found at:

<https://www.gov.uk/guidance/national-planning-policy-framework>

London Plan (2021)

D12 Fire Safety

The London Plan (2021) can be found here: <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	Ne
Impact on Designated Heritage Assets	LP3	Yes	Ne
Impact on Non-Designated Heritage Assets	LP4	Yes	Ne
Impact on Amenity and Living Conditions	LP8	Yes	Ne
Flooding	LP21	Yes	Ne

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
Non-designated heritage assets	30	Yes	No
Amenity and living conditions	46	Yes	No
Flood Risk and Sustainable Drainage	8	Yes	No

Supplementary Planning Documents

House Extension and External Alterations (2015)
 Hampton Wick & Teddington Village Planning Guidance (2017)

These documents 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:
 Hampton Wick Conservation Area 18 Conservation Area Statement

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.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage assets
- ii Impact on neighbour amenity
- iii Flooding
- iv Fire Safety

i Design and impact on heritage assets

Policy LP 1 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.

The Councils SPD (2015) 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 SPD (2015) also states that "in most cases use the same kind of window throughout, with the proportions and sizes of new window openings generally echoing those of the main house".

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'.

Paragraph 209 of the NPPF states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

Proposals seek to construct a single-storey rear extension with a flat roof and large glazed doors, as well as making alterations to the existing fenestration. These works would be confined to the rear of the building and not easily visible from public vantage points. Therefore, they would have no impact on the character or appearance of the Hampton Wick Conservation Area and adjoining BTMs. No concerns are raised from a heritage position.

The extension would be a subservient addition to the host property and the use of matching materiality would ensure sufficient integration with it. The Council's Urban Design Team have raised no objection to the proposal.

Fenestration alterations and additions to the existing extensions are not considered to change the overall character and appearance of the host property and replacing fenestration would present a linear design similar to the existing openings.

In order to ensure integration with the host property, newly installed fenestration will be requested to match the materiality of the existing openings via planning condition.

Subject to the above, the proposals would comply with the aims and objectives of policies LP 1, LP 3 and LP4 of the Local Plan, policies 28, 29 and 30 of the Publication Local Plan and SPD (2015) on House Extensions and External Alterations.

ii Impact on neighbour amenity

Policy LP 8 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 m in depth for a terrace 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 proposed extension would present a depth of approx. 3 metres when measured from the rear wall of No. 49, the attached neighbouring properties and BTM. Given this and the relatively considerable separation distance between such extension and the other neighbouring properties and the ground floor nature of the proposed newly installed fenestration and extension, it is considered that the scheme would not cause significant loss of amenity to the neighbours, in terms of loss of light, overbearing and loss of privacy.

In view of the above, the proposals would comply with the aims and objectives of policy LP 8 of the Local Plan, policy 46 of the Publication Local Plan and SPD (2015) on House Extensions and External Alterations.

iii Flooding

Policy LP 21 'Flood Risk and Sustainable Drainage' 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.

The fact that the proposal would be set no lower than the existing floor level would alleviate concerns in terms of flood risk.

iv Fire Safety

The Planning Fire Safety Statement received is considered adequate to the scale of the development proposed and would meet the requirements of Policy D12(A) of the Local Plan (2021) and to this extent a compliance condition will be attached to the decision notice.

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.

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

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): GAP

Dated: 07/08/2024

I agree the recommendation:

Team Leader/Head of Development Management/Principal Planner - EL

Dated: 12/08/2024.....

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

Head of Development Management:

Dated:

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
