



Application reference: 24/0762/NMA
HAMPTON WICK AND SOUTH TEDDINGTON WARD

Date application received	Date made valid	Target report date	8 Week date
01.07.2024	01.07.2024	29.07.2024	29.07.2024

Site:

24 Cedars Road, Hampton Wick, Kingston Upon Thames, KT1 4BE

Proposal:

Non-material amendment to planning permission 24/0762/HOT - Removing the proposed box window on the rear elevation and replacing with one set of french doors with glass side panels. Updates to the roof-lights in the side elevation.

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

APPLICANT NAME

Joanna Ketley
 24 Cedars Road
 Hampton Wick
 Richmond Upon Thames
 KT1 4BE

AGENT NAME

Emily Dawson
 Unit Number 213
 The BusWorks
 North Road
 London
 N7 9DP
 United Kingdom

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

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

-

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

Development Management

Status: GTD Application:09/2936/HOT
 Date:24/12/2009 Single storey rear & side extension

Development Management

Status: GTD Application:24/0762/HOT
 Date:22/05/2024 Changes to the rear and side elevations of the existing ground floor extension, including replacing the existing rear window and doors with double doors and a box window, replacing the existing roof lights and adding three new roof lights to the side.

Development Management

Status: PCO Application:24/0762/NMA
 Date: Non-material amendment to planning permission 24/0762/HOT - Removing the proposed box window on the rear elevation and replacing with one set of french doors with glass side panels. Updates to the

roof-lights in the side elevation.

Building Control

Deposit Date: 27.01.1997 Loft conversion
Reference: 97/0107/FP

Building Control

Deposit Date: 16.02.2010 Single storey side extension
Reference: 10/0279/IN

Building Control

Deposit Date: 01.10.2010 Installed a Gas Fire
Reference: 11/FEN01022/GASAFE

Building Control

Deposit Date: 01.10.2010 Installed a Gas Fire
Reference: 11/FEN02506/GASAFE

Building Control

Deposit Date: 07.05.2013 8 Windows
Reference: 13/FEN02301/FENSA

Building Control

Deposit Date: 17.12.2019 Install a gas-fired boiler
Reference: 20/FEN00507/GASAFE

Building Control

Deposit Date: 06.02.2021 Clearview: 400 Pioneer / P with Descriptor Install a solid fuel dry fuel
room heater stove or cooker Liner: Liner with Descriptor Install a flue
liner Chimney: Chimney with Descriptor Install a non-masonry
flue/chimney system

Reference: 21/HET00068/HETAS

Application Number	24/0763/NMA
Address	24 Cedars Road Hampton Wick Kingston Upon Thames KT1 4BE
Proposal	Non-material amendment to planning permission 24/0763/HOT - Removing the proposed box window on the rear elevation and replacing with one set of French doors with glass side panels. Updates to the roof-lights in the side elevation.
Contact Officer	Fariba Ismat
Target Determination Date	29/07/2024

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.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The property is two storey semi-detach dwellinghouse located on the northern side of Cedars Road in Hampton Wick.

The application site is situated within Hampton Wick Ward and is designated as:

- Article 4 Direction Basements Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
- Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 358
- Village - Hampton Wick Village
- Village Character Area Sandy Lane and Surrounds - Area 13 Hampton Wick & Teddington Village Planning Guidance Page 49 CHARAREA11/13/01
- Ward Hampton Wick Ward

3. DESCRIPTION OF THE PROPOSED AMENDMENTS AND ANY RELEVANT PLANNING HISTORY

The proposal is for building the scheme approved under planning application ref: 19/1890/FUL without the chimneys.

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

Reference	Description	Decision
24/0762/NMA	Non-material amendment to planning permission 24/0762/HOT - Removing the proposed box window on the rear elevation and replacing with one set of French doors with glass side panels. Updates to the roof-lights in the side elevation.	Under Consideration
24/0762/HOT	Changes to the rear and side elevations of the existing ground floor extension, including replacing the existing rear window and doors with double doors and a box window, replacing the existing roof lights and adding three new roof lights to the side.	Under Consideration

09/2936/HOT	Single storey rear & side extension	Granted Permission
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4. CONSULTATIONS CARRIED OUT

An application to make a non-material change under s.96A is not an application for planning permission, so the existing Town and Country Planning (Development Management Procedure) Order 2015 provisions relating to statutory consultation and publicity do not apply. Local planning authorities have discretion in determining whether and how they choose to inform other interested parties or seek their views.

5. TOWN AND COUNTRY PLANNING ACT 1990

The application seeks approval under s.96A(4) of the Act for non-material changes to planning permission. Section 96A (1) states: "A local planning authority may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material."

Section 96A (2) states: "In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."

S96A was introduced by the Parliament to allow for a degree of flexibility to be introduced into the planning system. Whilst there is no statutory guidance as to what constitutes a non-material amendment, materiality is a matter of judgement, and that materiality is to be judged by reference to the overall context including the nature and scale of the permission being altered. Judgement on 'materiality' in any particular case is one of fact and degree, along with taking into account the likely impact of the amendment on the local environment. Materiality is considered against the development as a whole, not just part of it. The basis for forming a judgement on materiality is always the original permission however the cumulative effects of any previous amendments would also need to be assessed.

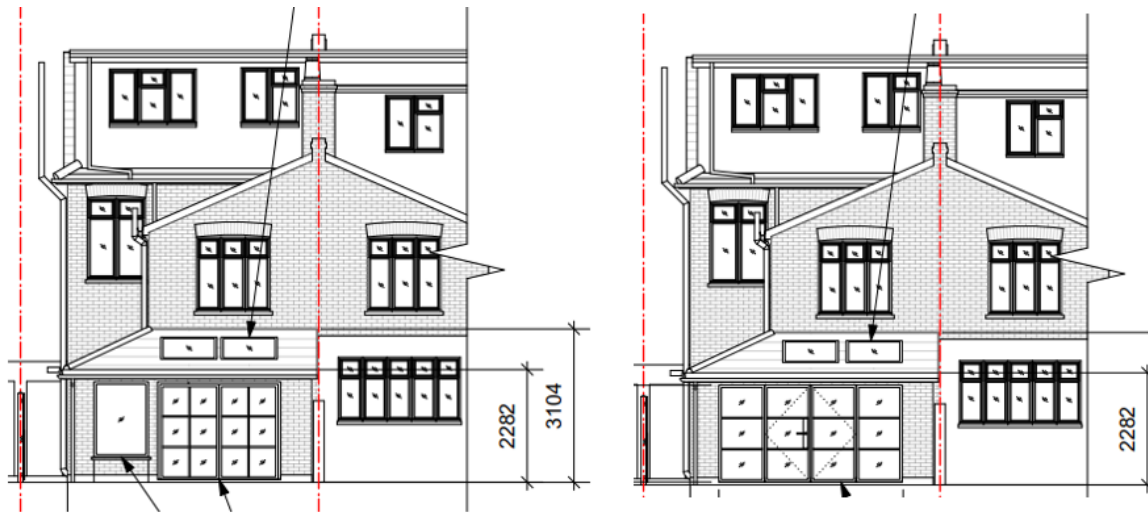
Although what defines a non-material amendment is to the discretion of the local authority concerned and lacking in legal definition, the following key tests could be applied in assessing the acceptability of a change to an approved scheme under the non-material amendment procedure:

- Is the proposed change material/significant in terms of its scale (magnitude, degree etc) in relation to the original approval?
- Would the proposed change result in a development that will appear noticeably different to what interested parties may have envisaged or could result in an impact on the amenity of occupiers of adjoining properties?
- Would the interests of any third party or body who participated in or where informed of the original decision be disadvantaged in any way?
- Would the amendments be contrary to any planning policy of the Council?

If none of these tests are positive, then it is considered that the change could be dealt with as a non-material amendment.

6. EXPLANATION OF OFFICER RECOMMENDATION

The original scheme as seen below at ground level was approved with a four-panel glass door and an almost full height box window under planning permission Ref. 24/0762/HOT.



As Approved under 24/0762/HOT

As Proposed Under Current Scheme

The current proposal seeks to remove the box window, widen the door by placing one set of French doors with glass side panels and reducing number of sky lights from approved 6 down to 4 sky lights on the side elevation.

The proposed changes are considered to be compliant with the criteria set out above under S96A in that the proposed changes will not significantly alter the appearance, design or material of the original scheme, will not have an adverse impact on neighbouring sites and is not considered to render the scheme contrary to relevant planning policies under which the proposal was and is currently assessed.

The revised proposal therefore is not considered to have a material impact on the design and appearance of the site or neighbouring sites as well as the street scene and therefore is supported.

7. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the process and it is considered the current application satisfies Section 96A of the Town and Country Planning Act (1990) as amended.

Grant Permission with Conditions

U0181764 Approved drawings

The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable.

Location Plan, 447/03/200 P01, 447/03/201 P01, 447/03/202 P01, 447/03/400 P01, 447/03/401 P01, 447/01/200 P01, 447/01/201 P01, 447/01/202 P01, 447/01/400 P01, 447/01/401 P01, 447/01/402 P01 - Recd. 25/03/2024

REASON: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.

Proposed Drawings

447/03/200 P03 Proposed elevation, 447/03/400 P03 Proposed floor plan, 447/03/401 P03 Proposed loft floor plan, 447/03/202 P03 Proposed section, 447/03/201 P03 Proposed side elevation – Recd. 01/07/2024

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):FI.....

Dated:13/08/2024.....

I agree the recommendation:

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

Dated: 13/08/2024.....

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:

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