

Application reference: 24/1148/HOT
NORTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
06.05.2024	25.06.2024	20.08.2024	20.08.2024

Site:

220 Sheen Road, Richmond, TW10 5AN,

Proposal:

Addition of a wooden trellis/ screening on top of the existing wall running along the front garden [retrospective]

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

APPLICANT NAME

Mr Sean Alleyne
220 Sheen Road
Richmond
RICHMOND
TW10 5AN
United Kingdom

AGENT NAME

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

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

Flat 4,297 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 2,297 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 1,293 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 5,293 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 4,293 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 3,293 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 2,293 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 5,297 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 3,297 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 1,297 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 5,295 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 2,295 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 1,295 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 4,295 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 Flat 3,295 Sheen Road,Richmond,TW10 5AW, - 29.06.2024
 The Presbytery,222 Sheen Road,Richmond,TW10 5AN, - 29.06.2024
 218 Sheen Road,Richmond,TW10 5AN, - 29.06.2024
 52 Lambert Avenue,Richmond,TW9 4QU, -
 484 Upper Richmond Road West,East Sheen,London,Richmond,TW10 5DY, - 29.06.2024

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

Development Management

Status: GTD

Application:93/1254/FUL

Date:20/09/1993 Erection Of An Oratory (chapel) For Exclusive Use Of Existing Convent
Involving Alterations And Extension Of The Building.

Development Management

Status: GTD Application:70/0367
Date:04/05/1970 Use of two rooms for nursery school purposes.

Development Management

Status: REF Application:74/0933
Date:10/12/1974 Construction of new vehicular access.

Development Management

Status: PDE Application:24/1148/HOT
Date: Addition of a wooden trellis/ screening on top of the existing wall running
along the front garden [retrospective]

Building Control

Deposit Date: 19.11.1993 Single storey extension and alterations to residential care unit.
Reference: 93/0533/3/FP

Building Control

Deposit Date: 19.11.1993 Construction of a new oratory/chapel between two existing buildings
Reference: 93/1174/1/FP

Building Control

Deposit Date: 18.04.2006 Shower (electrically heated or pumped) Special location (room containing
bath or shower swimming pool sauna)
Reference: 07/NIC01655/NICEIC

Building Control

Deposit Date: 04.04.2011 1 Door
Reference: 11/FEN01724/FENSA

Building Control

Deposit Date: 02.09.2019 Install a gas-fired boiler
Reference: 21/FEN02675/GASAFE

Enforcement

Opened Date: 19.03.2024 Enforcement Enquiry
Reference: 24/0161/EN/UBW

Application Number	24/1148/HOT
Address	220 Sheen Road Richmond TW10 5AN
Proposal	Addition of a wooden trellis/ screening on top of the existing wall running along the front garden [retrospective].
Contact Officer	Sukhdeep Jhooti
Target Determination Date	20.08.2024 EOT 29.08.2024

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 comprises a two-storey, detached dwellinghouse within Richmond and Richmond Hill Village and is designated as follows:

- Area Proposed for Tree Planting [Site: 24/1/97]
- Gas High Pressure Pipe Cadent PLC Safeguard Zone
- Increased Potential Elevated Groundwater [GLA Drain London]
- Village [Richmond and Richmond Hill Village]
- Village Character Area [Kings Farm Avenue and surrounds – Area 8 [Part 1] Richmond and Richmond Hill Village Planning Guidance Page 32 CHARAREA06/08/01]

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises addition of a wooden trellis/ screening on top of the existing wall running along the front garden [retrospective].

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

- **93/1254/FUL.** Erection Of An Oratory (chapel) For Exclusive Use Of Existing Convent Involving Alterations And Extension Of The Building. **Granted**
- **74/0933.** Construction of new vehicular access. **Refused.**
- **70/0367.** Use of two rooms for nursery school purposes. **Granted**

The site is in residential use and no longer used as a care facility.

4. CONSULTATIONS CARRIED OUT

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

One letters of objection have been received and the comments can be summarised as follows:

- I object to the proposal. It breaches the town and county planning act. It leads to a significant change in appearance of the property and also sets a precedent. Based on previous decisions of the council regarding retrospective planning it would not along with previous planning decisions

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

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

- 4. Decision-making
- 9. Promoting sustainable transport
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural 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
- D11 Safety, security and resilience to emergency
- D12 Fire Safety
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- T4 Assessing and mitigating transport impacts

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 Amenity and Living Conditions	LP8	Yes	No
Impact on Biodiversity	LP15	Yes	No
Impact on Trees, Woodland and Landscape	LP16	Yes	No
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	No
Sustainable Travel Choices	LP44	Yes	No
Parking Standards and Servicing	LP45	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
Biodiversity and Geodiversity	39	Yes	No
Trees, Woodland and Landscape	42	Yes	No
Amenity and living conditions	46	Yes	No
Sustainable travel choices, Vehicular Parking, Cycle Parking, Servicing and Construction Logistics Management	47, 48	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

House Extension and External Alterations

Transport

Village Plan – Richmond and Richmond Hill Village

These policies can be found at:

https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design
- ii Impact on neighbour amenity
- iii Trees
- iv Flood Risk
- v Transport
- vi Fire Safety

i Design

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.



Figure 1 – Pre-existing situation

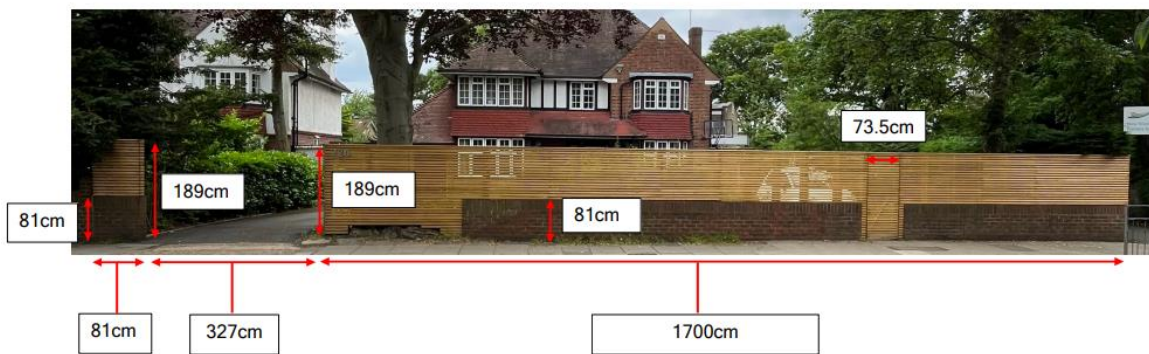


Figure 2 – Existing situation

The boundary treatment comprises a timber trellis with an overall height of 189cm approx. The existing brick-built boundary wall is approx. 81cm in height. Front boundary treatment over 1m in height requires planning permission hence the reason for this planning application. The application site is a two and a half storey detached dwellinghouse which is located on a generous plot.

The Richmond and Richmond Hill Village Planning Guidance notes that “*Sheen Road is a busy traffic route but is wide and noticeably green due to the mature trees surviving in the front gardens of large houses. These are generally detached or semi-detached late Victorian houses, often in stock brick with red brick dressings and with prominent chimneys or gables. Some have been replaced by twentieth century housing blocks, which use similar materials in a modern idiom and are likewise set back behind lush front gardens, bounded by low brick walls with taller piers*”.

The Richmond and Richmond Hill Village Plan notes that properties in the character area were built between the 1920s and 1950s. It argues that ‘the replacement of front garden boundary walls with other designs or materials reduces the ordered uniformity of the streets’. This is identified as a threat to the area.

The Residential Development Standards SPD notes that, “*Front gardens are important features in the townscape and can contribute to biodiversity. They can give adequate privacy to ground floor windows, improve the setting of a dwelling and mediate between public and private space.*

Where walls, fences or railings are rebuilt care should be taken to reflect the established boundaries on the street in terms of height, design and materials. Where there is no consistent boundary pattern to follow, simple enclosures consisting of iron railings and/or brick are usually preferred. However tall solid front boundaries can result in a defensive and hostile street environment, which is generally not characteristic of the Borough. In most instances, new front boundaries over 1.5m in height are unnecessary.” (para 4.1.14)

The character of boundaries in the locality would be low rise brick walls with higher piers enclosing the front gardens. In addition to brick walls, there are some examples of metal railings and mature planting is used to add screening.

This style of boundary is out of character from the boundary treatments witnessed along this stretch of the road. The height of the boundary treatment is considered excessive, standing substantially taller than the existing boundary wall which creates a dominant appearance. The height combined with the visually impermeable design of the brick wall and substantially impermeable trellis creates a sense of enclosure, appears visually oppressive, which is uncharacteristic of the boundary treatments in the locality which are low level, have a softer appearance via the use of vegetation or have a more open appearance such as railings.

Privacy and reducing crime are cited as the two main reasons for the existing boundary treatment by the applicant in their supporting statement. However, its height and impermeability reduces passive surveillance. Privacy could still be afforded to the inhabitants of the property through the use of vegetation for example.

The applicant cites the boundary treatment approved at 380 Upper Richmond Road West under decision reference: 21/2090/FUL as an example which is similar in design to the application proposal. This site is however approx. 700m from the application site and has a materially different context. There are no

examples of solid boundary treatments of the height proposed in the immediate locality of this application site.

The timber trellis would not be characteristic of the area and would fail to successfully integrate with the street scene. This would conflict with policy LP1 of the Local Plan, policy 28 of the Publication Local Plan, the Richmond and Richmond Hill Village Planning Guidance and Residential Development Standards SPD quoted above.

The proposal does not benefit from permitted development fallback position as the height of the proposal boundary would exceed the 1m above ground level criteria for boundaries adjacent to a highway used by vehicular traffic.

An appeal for against refusal for front boundary treatment which was deemed to be out of character with the area at No. 180 Sheen Road, Richmond, TW9 1XD was recently dismissed under appeal reference: APP/L5810/D/24/3344802 on 31 July 2024.

The Inspector noted in their appeal decision that: *“The height and length of the proposed front boundary would create a sense of enclosure which is not characteristic of the boundary treatments in the locality of a lower level with a softer and more open appearance. I acknowledge the privacy and security benefits of the proposed arrangements, but the boundary also has a relationship with the public realm. Sited on the back edge of the footpath, the boundary treatment would create a hard and imposing edge. Such a barrier would diminish the visibility of the buildings and front gardens which contributes to the street scene”.*

In summary, the structure is overly large and inconsistent with the typical style and scale of front boundary in the area. The trellis would not maintain architectural unity in the locality. The development, by reason of its proposed height and visually impermeable materials, results in a dominant and unsympathetic boundary treatment which fails to successfully integrate with the street scene. As such the proposal would be contrary to policy LP1 of the Local Plan (2018) and policies 28 of the London Borough of Richmond upon Thames Local Plan Publication (Regulation 19) Consultation version Local Plan (2023) and the Richmond and Richmond Hill Village Planning Guidance (2016) and the Residential Standards SPD.

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 46 of the Publication Local Plan states the same.

Due to the nature, siting and overall height of the development, the proposed development would not lead to a material loss of outlook, light or privacy afforded to the inhabitants of neighbouring properties. It is noted that there is screening provided in the form of on and off-site trees and shrubs which helps limit the visual impact of the development when viewed from immediate adjoining neighbouring properties, one of which is a Primary School.

In view of the above, the proposal would safeguard neighbour living conditions in line with Policy LP8 of the Local Plan and Policy 46 of the Publication Local Plan.

iii Trees

Policies LP15 and LP16 seek to protect biodiversity and health and longevity of trees, woodland and landscape in the borough. 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 site is not within a Conservation Area nor are there any TPO trees on or adjacent to the site. There is an existing mature tree of civic/amenity value on site which is in close proximity to the boundary treatment. In terms of its impact on this tree, it is noted the existing boundary wall which would have required a significant level of excavation is in close proximity to this tree. The trellis is predominantly sited above the existing boundary wall and where it is sited near this existing mature tree, insertions have been made so as not to interfere with the existing tree roots. There appears to be no significant foundations as part of the construction of the existing trellis. As such, the trellis is unlikely to have caused any material harm to the existing on-site mature tree within the site frontage to warrant refusal of planning permission.

In view of the above, the scheme would comply with policies LP16 of the local plan and 42 of the Publication local plan.

iv Biodiversity

Biodiversity net gain became mandatory for minor developments on applications made from 2nd April 2024. This application is exempt from mandatory biodiversity net gain on the grounds that it is a householder application.

v Fire Safety

Policy D12 of the London Plan relates to fire safety. A reasonable exemptions statement has been provided which meets the requirement of the London Plan.

vi Flood Risk

Policy LP21 of the Local Plan relates to flood risk. The site is within flood zone 1. Given the nature and siting of the proposal and how it could easily be reversed, it would not lead to increased flood risk compared with the existing situation

vii Transport

Policies LP44 and LP45 of the Local Plan as well as Policies 47 and 48 of the Publication Local Plan relate to highway and pedestrian safety. The Council's Transport SPD [June 2020] is also a material consideration.

The boundary treatment does not affect the existing vehicle access or parking arrangement on-site. A pedestrian access is maintained in the same location as existing.

With regards to visibility splays, the Council's sightline requires are 2.1m x 2.4m as per the Transport SPD. The proposal meets these requirements.

The scheme is therefore acceptable on highway safety and parking grounds,

viii Gas Pipeline

The cadent gas pipeline is significantly set away from the proposal. The scheme would not cause harm to the operational effectiveness of this pipeline.

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.

For the reasons set out above, it is considered that the adverse impacts of allowing this planning application would significantly outweigh the benefits, when assessed against the policies in NPPF Official (2023) and Development Plan, when taken as a whole.

Refused planning permission for the following reasons

Reasons for refusal

The proposal, by reason of its siting, height and visually impermeable design, results in a dominant and unsympathetic boundary treatment which fails to successfully integrate with the street scene. As such the proposal would be contrary to policy LP1 of the Local Plan (2018) and policies 28 of the London Borough of Richmond upon Thames Local Plan Publication (Regulation 19) Consultation version Local Plan (2023) and Officer Planning Report – Application 24/1148/HOT Page 8 of 9

the Richmond and Richmond Hill Village Planning Guidance (2016) and Residential Development Standards SPD.

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): ...SJH

Dated: ...28.08.2024

I agree the recommendation:

South Area Team Manager:ND.....

Dated:29.08.2024.....