

Application reference: 24/1799/HOT
NORTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
15.07.2024	23.07.2024	17.09.2024	17.09.2024

Site:

72 Selwyn Avenue, Richmond, TW9 2HD,

Proposal:

New Single storey side extension to the rear along the outrigger with mono-pitched glazed roof and new L-Shaped loft dormer

APPLICANT NAME

Mr and Mrs Ben and Anna
Whitehead and Fletcher
72 Selwyn Avenue
Richmond
Richmond Upon Thames
TW9 2HD

AGENT NAME

Mrs Lea Feary
99 Lincoln Street
Norwich
NR2 3JZ
United Kingdom

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

Neighbours:

First Floor Flat,25 Selwyn Avenue,Richmond,TW9 2HB, - 25.07.2024
Ground Floor Flat,25 Selwyn Avenue,Richmond,TW9 2HB, - 25.07.2024
23 Selwyn Avenue,Richmond,TW9 2HB, - 25.07.2024
27 Selwyn Avenue,Richmond,TW9 2HB, - 25.07.2024
15 Beaumont Avenue,Richmond,TW9 2HE, - 25.07.2024
13 Beaumont Avenue,Richmond,TW9 2HE, - 25.07.2024
74 Selwyn Avenue,Richmond,TW9 2HD, - 25.07.2024
70 Selwyn Avenue,Richmond,TW9 2HD, - 25.07.2024

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

Development Management

Status: REF Application:72/1431
Date:11/08/1972 Conversion and use of property as three units of accommodation.

Development Management

Status: REF Application:24/1330/PS192
Date:10/07/2024 New Single storey side extension to the rear along the outrigger with mono-pitched glazed roof and new L-Shaped loft dormer. Rooflight to front elevation

Development Management

Status: PCO Application:24/1799/HOT
Date: New Single storey side extension to the rear along the outrigger with mono-pitched glazed roof and new L-Shaped loft dormer

Application Number	24/1799/HOT
Address	72 Selwyn Avenue, Richmond, TW9 2HD
Proposal	New Single storey side extension to the rear along the outrigger with mono-pitched glazed roof and new L-Shaped loft dormer
Contact Officer	Izabela Moorhouse
Target Determination Date	17/09/2024

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 terraced dwelling located towards the north-eastern side on Selwyn Avenue. The property is not listed, is not a Building of Townscape Merit (BTM) and does not fall within a 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
- Richmond Town Centre Boundary Buffer Zone
- Risk of Flooding from Surface Water 1 in 1000 chance
- Area Less Susceptible to Surface Water Flooding
- Throughflow Catchment Area
- Richmond and Richmond Hill Village
- The Pagoda Triangle Village Character Area.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises the *“New Single storey side extension to the rear along the outrigger with mono-pitched glazed roof and new L-Shaped loft dormer”*.

The comprehensive list of planning history can be found above. Of relevance:

24/1330/PS192 – New single storey side extension to the rear along the outrigger with mono-pitched glazed roof and new L-Shaped loft dormer. Rooflight to front elevation – **Refused**.

- **Development/Permission Required** - *The proposed rear extension 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 A.1(g), A.3(a) of Class A Part 1 Schedule 2 laid down in the Town and Country Planning (General Permitted Development) (England) Order 2015 and any subsequent legislative amendments.*

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

None.

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

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 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 Plan Policy	Local	Compliance	
Flood Risk and Sustainable Drainage	8		Yes	No
Local Character and Design Quality	28		Yes	No

Amenity and Living Conditions	46	Yes	No
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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

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 visual amenity
- ii Impact on neighbour amenity
- iii Flood Risk
- iv Fire Safety

i Design and visual amenity

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.

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.

Single storey rear extension

The proposal seeks permission to construct a mono-pitch roof, single storey side extension along the existing outrigger. The extension would introduce a new brick party wall, replacing the existing fence and features a glazed roof which extends into a full height vertical window following the form of the roof. A set of sliding doors are also proposed to the existing rear outrigger elevation. The roof of the extension would not

exceed the cill of the first-floor outrigger windows and would therefore maintain subservience to the main dwelling. In terms of the immediate locality, side extensions along the side elevation of the outriggers are a common feature and therefore the extension would not appear unduly out of character. In terms of depth, it does not project further than the existing extensions along the row.

The fenestration design is considered acceptable as it retains verticality and a satisfactory window hierarchy. The modern design demonstrates that 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.

Rear dormer extension

The proposal includes the construction of an L-shaped dormer to the rear roofslope and above the first floor of the outrigger. The proposals would be set lower than the existing ridge, set up, although modestly, from the eaves and set in from both sides of the roof. The significant setback of the dormer to the outrigger create a more subservient appearance. It is also noted that a number of properties along the row feature dormers of a similar form. The dormer would be clad in slate tiles to match the existing with two aluminium framed windows. The proposed materials are considered acceptable as they would maintain the character and appearance of the host building. In addition, the finish of the existing roof extensions along the row is varied and therefore the proposed is considered acceptable. A satisfactory window hierarchy and sufficient verticality would be maintained.

No objections are raised to the three rooflights to the front roofslope as these are appropriately sized and spaced.

In view of the above, and in context with the character of the area, the proposal complies with the aims and objectives of policies LP1 of the Local Plan and policies 28 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 3m in depth for a terraced 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. 70 and 74 to the south and north respectively. Given distance, the residents of Beaumont Avenue 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 3m in the case of a terraced 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 site adjoins the outrigger of no. 74 and therefore, given distance from the shared boundary, the proposed side extension would not have an impact on these residents.

The proposed extension will run along the shared boundary with no. 70. The height of the eaves at the boundary would be 3m from the ground level, contrary to the House Extensions SPD which seeks to limit infill developments that project over 3m on terraced properties to an eaves height of 2.2m to mitigate any sense of enclosure. As the proposals conflicts with this requirement, the extension is considered will result in an unreasonable sense of enclosure and would appear visually intrusive.

Rear dormer extension

The proposed dormer will have rear facing fenestration; therefore, no loss of privacy or overlooking is anticipated. The dormer will contribute to the mutual overlooking of the terraced row. The dormer is also setback, marginally, from the eaves, and significantly from the outrigger, therefore limiting direct views into adjoining properties.

As such, having regard to its siting, design, scale and materiality, it is not considered that the proposed extensions and alterations would have a significant impact on the amenities of the neighbouring properties and no objections are raised in this regard.

As such, the proposal does not comply 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 24/07/2024.

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 Reasonable Exception Statement has been submitted to the Council – received 24/07/2024.

Had officers been minded to approve the application, the applicant would have been advised that alterations to existing buildings should comply with the Building Regulations. This permission is not a consent under Building Regulations for which a separate application should be made. A condition will be included to ensure this is adhered to on an ongoing basis. Overall, the scheme can therefore be considered consistent with this Policy D12 of the London Plan.

v 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 is a householder application.

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.

Refuse planning permission for the following reasons

Reason for Refusal – Amenity

The proposed single storey side extension, by reason of its combined depth and height will result in a visually intrusive form of development that would adversely impact on the amenity of the nearby residential properties in terms of sense of enclosure and visual intrusion in particular to no. 70 Selwyn Avenue. The

proposal is therefore contrary to, in particular, Policy LP 8 of the Local Plan (2018), Policy 46 of of the Publication Local Plan, and the Supplementary Planning Documents for House Extensions and External Alterations and Richmond and Richmond Hill Village Planning Guidance.

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:28/08/2024.....

I agree the recommendation:



~~Team Leader/~~Head of Development Management/Principal Planner

Dated: ...29/08/2024.....

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: