

Application reference: 24/1696/HOT HAM, PETERSHAM, RICHMOND RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
04.07.2024	04.07.2024	29.08.2024	29.08.2024

Site:

The Cottage, 16 Ham Common, Ham, Richmond

Proposal:

Two storey rear to side extension with rear dormer roof extension and rooflights following demolition of existing two storey rear to side extension. Ground floor rear bay window extension. Ground floor WC single storey side extension

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

APPLICANT NAME

mrs lisa anderson
16 The Cottage Ham Common
Ham
Richmond Upon Thames
TW10 7JB

AGENT NAME

mr duncan foster
The Boathouse
27 Ferry Road
Teddington
TW11 9NN
United Kingdom

DC Site Notice: printed on 09.07.2024 and posted on 19.07.2024 and due to expire on 09.08.2024

Consultations:

Internal/External:

Consultee

14D Urban D

Expiry Date

23.07.2024

Neighbours:

Flax Cottage, 17 Ham Common, Ham, Richmond, TW10 7JB, - 09.07.2024

15 Ham Common, Ham, TW10 7JB, - 09.07.2024

18 Mornington Walk, Ham, Richmond, TW10 7LY, - 09.07.2024

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

Development Management

Status: GTD Application: 05/0153/HOT
Date: 02/03/2005 Single storey rear extension.

Development Management

Status: GTD Application: 05/T0307/TCA
Date: 06/07/2005 G1 - Spruce - Fell G2 - Cherry (Prunus spp.) - Fell

Development Management

Status: GTD Application: 05/3276/HOT
Date: 28/12/2005 Retention of a garden shed at the bottom of the rear garden.

Development Management

Status: VOID Application: 05/3264/VOID
Date: 26/06/2018 Retention of a garden shed at the bottom of the rear garden, replacing a previous garden shed on this site and another shed in the rear garden

Development Management

Status: REF Application: 23/0584/HOT
Date: 12/06/2023 Single-storey rear infill extension. Ground floor rear bay window extension. Removal of x2 chimney stacks. Roof extension. Two front dormer roof

extensions. Front porch extension. First floor front extension. Rooflights to side roof slopes. Alterations to fenestration. Raising of parapet wall along south and north elevations.

Development Management

Status: REF

Date: 01/02/2024

Application: 23/1711/HOT

Ground floor rear extension with replacement flat roof. Construction of rear ground floor bay window. New roof construction to facilitate a loft conversion. 2 storey front extension set back 1m from main facade

Development Management

Status: GTD

Date: 02/05/2024

Application: 24/0647/HOT

Two storey rear to side extension with rear dormer roof extension following demolition of existing two storey rear to side extension. Ground floor rear bay window extension.

Development Management

Status: PDE

Date:

Application: 24/1696/HOT

Two storey rear to side extension with rear dormer roof extension and rooflights following demolition of existing two storey rear to side extension. Ground floor rear bay window extension. Ground floor WC single storey side extension

Building Control

Deposit Date: 09.02.2005

Single storey rear extension, ground floor structural opening and alterations to stair, first floor en-suite, bathroom alterations to form additional bedroom.

Reference: 05/0268/FP

Building Control

Deposit Date: 13.07.2005

New installation rewire or partial rewire New consumer unit One or more new circuits Main/ supplementary equipotential bonding Ring/ radial power circuit Lighting circuit Heating (central heating/ room heating/ hot water/ boiler/ controls) Cooker Dwelling house Kitchen Special location (room containing bath or shower swimming pool sauna)

Reference: 06/73564/NICEIC

Building Control

Deposit Date: 22.09.2005

Installed a Gas Fire Installed a Gas Fire

Reference: 07/95354/CORGI

Building Control

Deposit Date: 22.09.2005

Installed a Gas Fire Installed a Gas Fire

Reference: 07/95355/CORGI

Building Control

Deposit Date: 01.12.2020

Install a gas-fired boiler

Reference: 20/FEN04001/GASAFE

Enforcement

Opened Date: 30.08.2005

Enforcement Enquiry

Reference: 05/0426/EN/UBW

Application Number	24/1696/HOT
Address	The Cottage 16 Ham Common Ham Richmond TW10 7JB
Proposal	Two storey rear to side extension with rear dormer roof extension and rooflights following demolition of existing two storey rear to side extension. Ground floor rear bay window extension. Ground floor WC single storey side extension
Contact Officer	Sukhdeep Jhooti
Target Determination Date	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, semi-detached dwellinghouse within Ham Village. It is designated as follows:

- Archaeological Priority – Tier II
- Conservation Area [CA7 Ham Common]
- Neighbourhood Plan Area – Adopted by Council on 22 January 2019
- Village [Ham and Petersham Village]

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises two storey rear to side extension with rear dormer roof extension and rooflights following demolition of existing two storey rear to side extension. Ground floor rear bay window extension. Ground floor WC single storey side extension

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

- **24/0647/HOT.** Two storey rear to side extension with rear dormer roof extension following demolition of existing two storey rear to side extension. Ground floor rear bay window extension. **Granted**
- **23/1711/HOT.** Ground floor rear extension with replacement flat roof. Construction of rear ground floor bay window. New roof construction to facilitate a loft conversion. 2 storey front extension set back 1m from main façade. **Refused**
- **23/0584/HOT.** Single-storey rear infill extension. Ground floor rear bay window extension. Removal of x2 chimney stacks. Roof extension. Two front dormer roof extensions. Front porch extension. First floor front extension. Rooflights to side roofslopes. Alterations to fenestration. Raising of parapet wall along south and north elevations. **Refused.**
- **05/3276/HOT.** Retention of a garden shed at the bottom of the rear garden. **Granted**
- **05/0153/HOT.** Single-storey rear extension. **Granted**

4. CONSULTATIONS CARRIED OUT

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

No letters of representation were received.

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
- 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
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- G6 Biodiversity and access to nature
- G7 Trees and woodlands

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 Designated Heritage Assets	LP3	Yes	No
Impact on Non-Designated Heritage Assets	LP4	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

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
Flood risk and sustainable drainage	8	Yes	No
Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No
Non-designated heritage assets	30	Yes	No
Biodiversity and Geodiversity	39	Yes	No
Trees, Woodland and Landscape	42	Yes	No
Amenity and living conditions	46	Yes	No

Ham and Petersham Neighbourhood Plan (2019)

The main policies applying to the site are as follows:

Issue	Plan Policy	Compliance	
		Yes	No
Protecting Green Character	C1	Yes	No
Character and Context Appraisal	C2	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

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:

Ham Common Conservation Area Statement

Ham Common Conservation Area 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.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

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

i Design and impact on heritage assets

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.

Policy LP3 of the Local Plan 2018 seeks to ensure that all development preserves and where possible, enhance the character, appearance and setting of designated heritage assets which includes Conservation Areas.

Policy LP4 of the Local Plan 2018 seeks to ensure that all development preserves and where possible, enhances the character, appearance and setting of non-designated heritage assets which includes Buildings of Townscape Merit [BTM's].

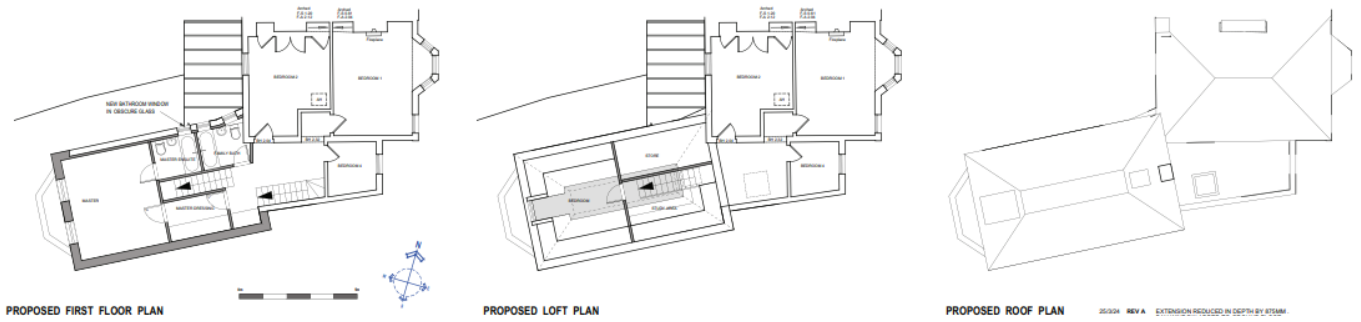
The Councils SPD relating to House Extensions and External Alterations states that the overall shape, size and position of side and rear extensions should not dominate the existing house or its neighbours. It should harmonise with the original appearance, either by integrating with the house or being made to appear as an obvious addition.



Figure 1 – Proposed elevations



Figure 2 – Elevations approved under decision reference: 24/0647/HOT.



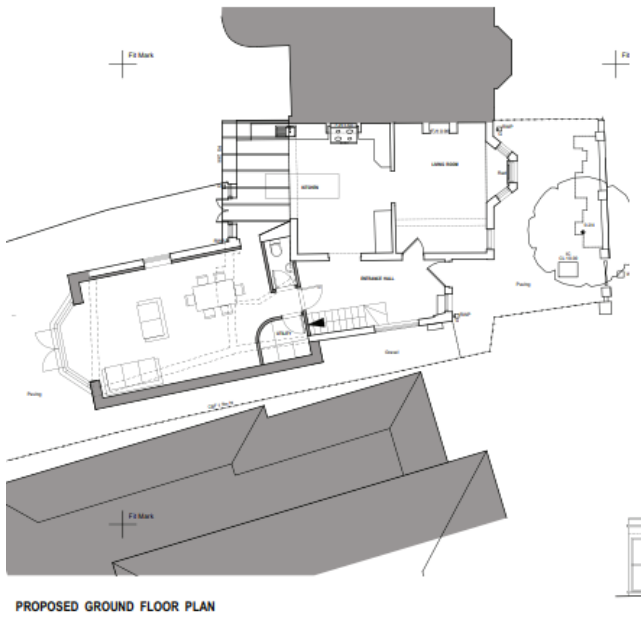


Figure 3 – Plans approved under decision reference: 24/0647/HOT

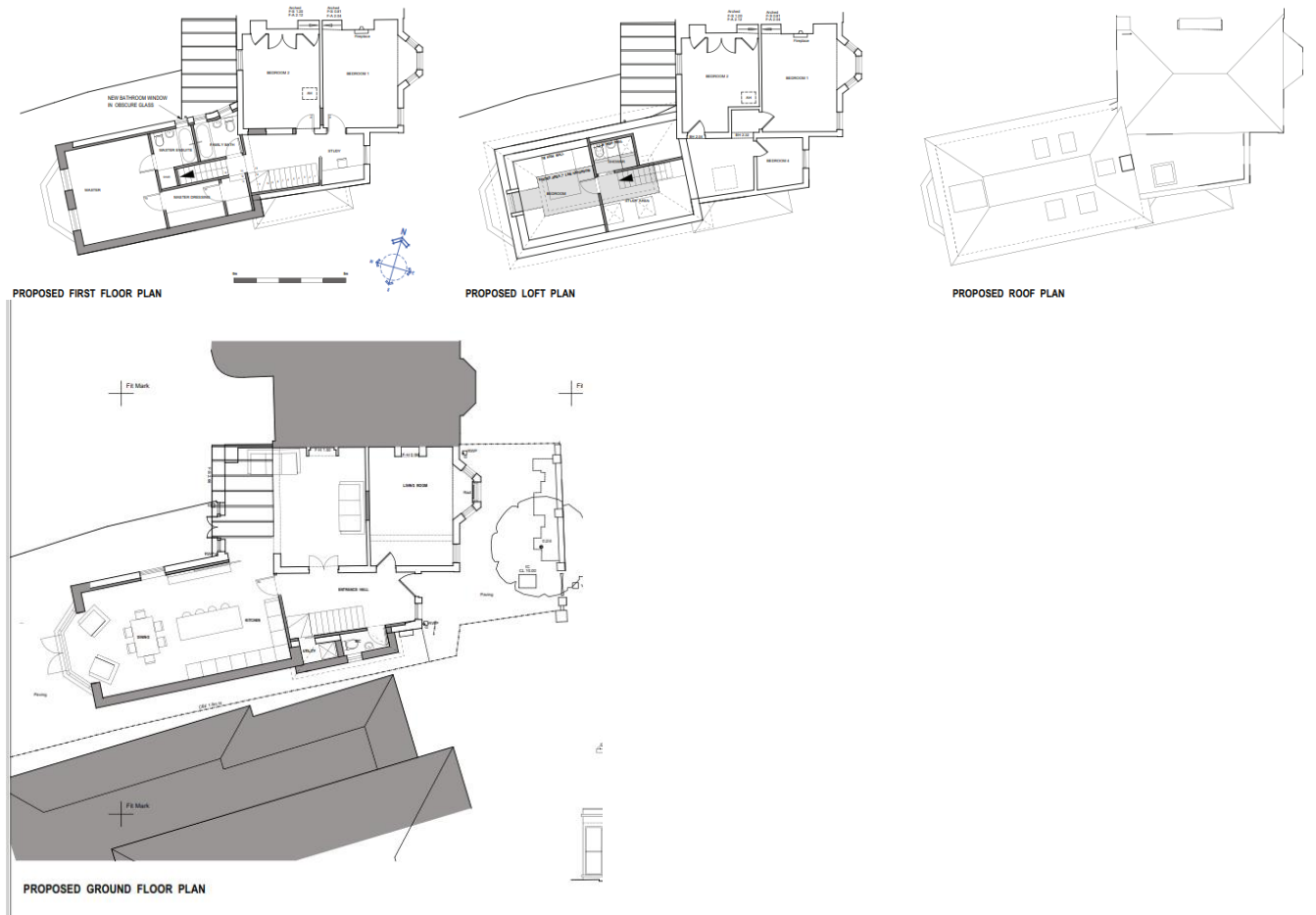


Figure 4 – Proposed plans

The proposal in comparison to the scheme approved under decision reference: 24/0647/HOT would include a ground floor side extension for a WC.

The roof pitch has been amended from the approved scheme to allow for slightly more space in the loft – yet the crown roof height remains the same height as that approved under decision reference: 24/0647/HOT. 4 Obscure glass rooflights have been introduced.

The scheme is assessed in turn:

Ground floor side extension for a WC

The proposed ground floor side extension would have a pitched roof to complement the pitch roof form of the existing house. It would be built from complementary materials. It would be set back from the front elevation to appear subordinate to the host dwelling. It would not appear excessive in width or depth. The extension would benefit from a flank window which helps break up its massing and provide some visual interest. Overall, it would serve as a proportionate and obvious addition to the host dwelling.

Alterations to roof pitch

The alterations in the roof pitch compared with the scheme approved under decision reference: 24/0647/HOT would result in a nominal increase in ridge height of 150mm approx. but the crown roof form would remain as per the scheme. This alteration would not adversely impact upon the character and appearance of the Conservation Area as it is a modest change to the scheme granted under 24/0647/HOT.

x 4 Obscure glazed rooflights

The additional rooflights could be carried out under permitted development as the house benefits from permitted development rights. These alterations are therefore acceptable given this 'fall-back' position.

All other aspects of the development remain as approved under decision reference: 24/0647/HOT. There has been no material change in local, regional or national planning policy or guidance to warrant a different assessment.

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'. In this instance the proposal would not lead to less than substantial harm to the setting, character and appearance of the conservation area due to its size, scale and design.

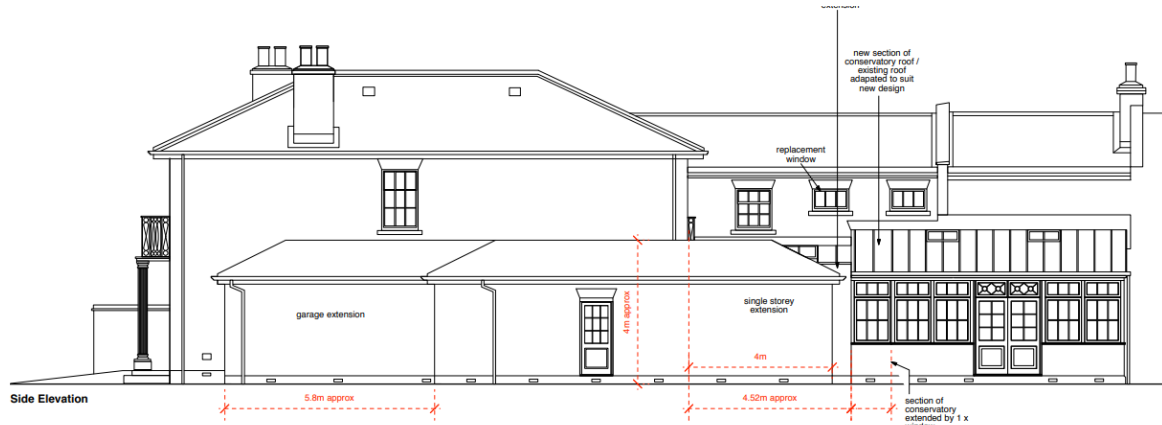
Paragraph 209 of the NPPF states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'. In this instance, the proposal would not adversely impact upon the character, appearance or significance of nearby BTM's due to its size, scale and design.

In view of the above, the proposal would comply 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 Ham Common Conservation Area Statement/Study.

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 reiterates the same.

The proposed extension would be adjacent to an existing addition at No. 15 Ham Common. It would be set off the common boundary with this neighbouring property as confirmed by the proposed block plan. There are no flank windows at 15 would be impacted by the proposal as there are none directly adjacent at ground floor level to the proposed ground floor side extension at the application site. The garage extension at No. 15 Ham Common approved under 19/0186/HOT has been built out. The side elevations approved i.e. adjacent to the application site are set out below:



key	revision notes	Revisions



The ground floor side extension would project slightly beyond the garage extension at No. 15 but given the modest projection, this would not lead to a material loss of outlook or light to warrant refusal of planning permission. The side window would not lead to undue loss of privacy due to the height of boundary treatment between the two properties which limits opportunity for overlooking.

The rooflights proposed would be obscure glazed to restrict any overlooking. A condition would be imposed to reinforce this in order to restrict overlooking of neighbouring properties.

The alterations to the main house roof pitch would lead to a 15cm approx. height increase would not appear visually intrusive, or lead to a material loss of outlook or light compared with the scheme approved under 24/0647/HOT.

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 scheme would be set away from any trees but to ensure the on-site tree within the site frontage [which is afforded statutory protection by virtue of being within a CA] is not damaged during construction activities, a tree protection condition would be imposed.

In view of the above, the scheme would comply with Policies 15 and LP16 of the 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 is a householder application.

v Flood Risk

Policy LP21 of the Local Plan is within flood zone 1. It is not affected by any other local sources of flooding. It would increase flood risk as a consequence.

vi Fire Safety

Policy D12 of the London Plan 2021 relates to fire safety. A fire safety statement has been submitted which meets the aims and objectives of Policy D12 of the London Plan 2021. This does not override the need to comply with the fire safety aspects of the building regulations.

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 / ~~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: 29.08.2024

I agree the recommendation:

South Area Team Manager:ND.....

Dated:30.08.2024.....