

Application reference: 24/1695/HOT
HAMPTON NORTH 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:

2 Broadmead Close, Hampton, TW12 3RT,

Proposal:

Garden room to rear garden

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

APPLICANT NAME

Mrs Sabin Haq
2 Broadmead Close
Hampton
Richmond Upon Thames
TW12 3RT

AGENT NAME

Ms Grainne O Keeffe
Atrium 36 Broad Lane
Hampton
TW12 3AZ
United Kingdom

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

Consultations:

Internal/External:

Consultee

LBRuT Trees Preservation Officer (North)

Expiry Date

22.07.2024

Neighbours:

6 Broadmead Close, Hampton, TW12 3RT, - 08.07.2024
Caradean, Marlborough Road, Hampton, TW12 3RX, - 08.07.2024
3 Broadmead Close, Hampton, TW12 3RT, - 08.07.2024
1 Broadmead Close, Hampton, TW12 3RT, - 08.07.2024

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

Development Management

Status: GTD Application: 99/T1066
Date: 07/10/1999 Cypress - Remove

Development Management

Status: GTD Application: 09/T0043/TPO
Date: 24/03/2009 T6 - Triple Stem Ash - Fell T9 - 15 - Silver Birch - Reduce laterally towards 'Marlings' in North Westerly direction by 2 - 3 m to mitigate direct encroachment to the properties in Broadmead Close.

Development Management

Status: GTD Application: 22/T0931/TPO
Date: 21/12/2022 T1 Silver Birch (Betula pendula) TPO tree no. may be different to the tree number we have given this tree - dead tree - Fell to ground level and remove all arisings. T2 Lawson Cypress (Chamaecyparis lawsoniana) TPO tree no. may be different to the tree number we have given this tree - raise

crown to give 6 foot clearance. T3 Cherry Laurel (Prunus laurocerasus) Fell to ground level, remove all arisings and grub/grind out stump.

Development Management

Status: PCO

Application:24/1694/HOT

Date:

Ground floor rear and side extension. First floor side and rear extension. Modifications to front elevation incl. new porch and bay window. Garage conversion

Development Management

Status: PDE

Application:24/1695/HOT

Date:

Garden room to rear garden

Building Control

Deposit Date: 04.10.2005

Conversion of rear half of garage to utility room

Reference: 05/2048/BN

Building Control

Deposit Date: 03.11.2009

7 Windows 3 Doors

Reference: 09/FEN02301/FENSA

Building Control

Deposit Date: 29.09.2020

Install a gas-fired boiler

Reference: 23/FEN01197/GASAFE

Application Number	24/1695/HOT
Address	2 Broadmead Close Hampton TW12 3RT
Proposal	New garden room in replacement of the existing garden shed.
Contact Officer	Phil Shipton
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 subject site consists of a two-storey detached dwellinghouse, located via Marlborough Road, a private road.

The application site is situated within Hampton Village and is designated as:

- Area Susceptible To Groundwater Flood - Environment Agency
- Article 4 Direction Basements
- Community Infrastructure Levy Band
- Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency
- Surface Water Flooding (Area Less Susceptible to) - Environment Agency
- Tree Protection Order - REF: T0163 – T11, T12, T13 Cypress Tree - Cupressus sp
- Priority Road East and Surroundings - Area 11 Hampton Village Character Area

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises a new 'garden room' located in the north-western corner of the rear garden of the subject site. The garden room is proposed to replace an existing garden shed and is positioned in the same manner, setback approximately 0.1m from the western boundary and 1.5m from the rear boundary.

The garden room will consist of stained wood walls; grey rubber sheet roofing; powder coated aluminium windows and doors, as stated in the submitted Application Form.

The location of the shed sits within the Root Protection Area of the protected Cypress tree within the subject site and that within the neighbouring property at 1 Broadmead Close. This is shown in the submitted drawing titles 'Garden Room Proposed'. The construction of the garden room is proposed to be accompanied by tree protection measures and a working methodology in accordance with BS 5837:2012, as outlined in the submitted Arboricultural Impact Assessment report.

The proposed garden room has dimensions of 3.3m (l) x 4.3m (w) x 2.7m (h).

The comprehensive list of planning history can be found above however it is noted that the applicant has submitted a separate application under the reference 24/1694/HOT for ground floor rear and side extension; first floor side and rear extension; garage conversion; and modifications to the front elevation including a new porch and bay window.

4. CONSULTATIONS CARRIED OUT

The list of neighbours notified of this application are listed above. No letters of representation were received.

The Trees Preservation Officer (North) was consulted on the proposal as trees in the front and the rear gardens of the subject site and neighbouring gardens are subject to statutory protection via Tree Preservation Order (TPO) Ref: T0163. The conclusions of the officers' review are detailed in Section 6 below. A list of recommended conditions has been adopted and are included at the end of this report.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

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

D12 Fire Safety

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	
		Yes	No
Local Character and Design Quality	LP1	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	
Flood risk and sustainable drainage	8	Yes	No
Local character and design quality	28	Yes	No
Trees, Woodland and Landscape	42	Yes	No

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

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

i 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 application includes an Arboricultural Impact Assessment report prepared by Trevor Heaps, Director of Trevor Heaps Arboricultural Consultancy Ltd, in which details a Method Statement & Tree Protection Plan in accordance with BS:5837 2012.

The report describes the potential effects the construction works may have on the subject trees and recommends mitigation measures. These are summarised below:

- There is a risk that the crowns and stems of some of the retained trees could be accidentally damaged during development. To minimise this risk, protective fencing will be erected in front of their stems and, where space allows, along their canopy extents.
- The footprint of the proposed outbuilding falls within the RPAs of two nearby trees and a nearby shrub. To minimise root disruption during construction and to allow room for root growth post-construction, the building will sit on non-invasive foundations; there will be no excavations or changes of level within the trees' RPAs; and the building will be designed around the need for a slightly raised ground-floor level.
- To avoid the soil becoming unnecessarily compacted, all vulnerable areas will be separated from the working area by protective fencing or will be covered with ground protection.
- The existing garden shed will need to be dismantled to make way for the proposed outbuilding. The shed has a thick concrete base that will also need to be removed. To minimise any risk of root damage, the base will only be removed using hand tools (i.e., a hand-held pneumatic drill).
- An electrical supply will need to be provided to the proposed outbuilding and to minimise root disruption, the channel needed will be located along a route that minimises any contact with significant roots (i.e. beyond or along the edges of RPAs or radially away from the tree's stems). A suggested route is shown on the Tree Protection Plan (TPP) (as a green dashed line). Any sections that fall within the RPAs of retained trees will be hand-dug (retaining all roots over 25mm in diameter).

It is concluded in the report that there will be no detrimental effect on the health or appearance of the tree, nor the visual amenity or arboreal character of the area.

Trees Preservation Officer (North) has reviewed the proposal and has stated that the recommendations and working methodologies of the Tree Report are consistent with good Arboricultural practice for construction activities around trees and are in line with the British Standard BS5837 (2012) in the execution of this proposal and are accepted by the officer. In particular, the use of an above ground beam foundation design, supported ground screws is deemed acceptable by the officer.

The officer states that development hereby approved shall not be implemented other than in accordance with the principles and methodology as described within the approved Arboricultural details "Arboricultural Impact

Assessment Method Statement & Tree Protection Plan Ref: TH 4700, dated 28/06/2024", unless otherwise previously agreed in writing with the local planning authority. A list of conditions relating to the works and implementation of the TPP are included at the end of this report.

ii Flood Risk

Policy LP 21 requires all developments should avoid, or minimise, contributing to all sources of flooding. The proposed garden room is located in part of the property of which is not covered by the 'Risk of Flooding from Surface Water Extent 1 in 1000 Chance' in the GIS Flood Data map. Furthermore, the proposed garden room is not used as habitable space and provides a negligible increase in impermeable coverage. As such, it is considered that the flood risk to the proposed garden room and its contribution to potential risk is suitably avoided.

iii Fire Safety

Policy D12 Fire Safety of the London Plan Part A requires all development to demonstrate the highest levels of fire safety. All non-major applications require the submission of a Fire Safety Strategy, unless reasonable exemption has been demonstrated.

The applicant has submitted a Fire Safety Strategy which is considered to adequately address the relevant criteria of Policy D12.

Any work carried out will need to fully comply with Building Regulations. A planning permission, if granted, is *not* a consent under the Building Regulations.

iv Impact on neighbour amenity

Policy LP1 states that *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.*

The proposed garden room will replace an existing garden shed and be located at the same position. The proposed garden room is of a bulk and form, and utilises materials and finishes, that are commensurate with the surrounding residential area. The height of the garden room at 2.7m exceeds the Class E Permitted Development Right by 0.2m when positioned within 2m of the property boundary, and therefore represents a minor departure from the permitted development envelope. The trees and associated foliage will maintain a partial screening of the garden room when viewed from neighbouring properties. As such, it is considered the design of the garden room respects the local environmental and character of the local area and meets Policy LP1.

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): PSH

Dated: 09/08/2024

I agree the recommendation:

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

Dated: 28/08/2024.....

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

U0093598	Building Regulations
U0093599	Noise control - Building sites