

## Application reference: 24/1729/HOT SOUTH TWICKENHAM WARD

Date application received	Date made valid	Target report date	8 Week date
08.07.2024	08.07.2024	02.09.2024	02.09.2024

**Site:**

3 Hamilton Road, Twickenham, TW2 6SN,

**Proposal:**

single storey rear and side infill extension

**APPLICANT NAME**

Mr Richard Hewitt  
3 Hamilton Road  
Twickenham  
Richmond Upon Thames  
TW2 6SN

**AGENT NAME**

Mr Lucas Docherty  
17 Hamilton Road  
Twickenham  
TW2 6SN  
United Kingdom

**DC Site Notice:** printed on 11.07.2024 and posted on 19.07.2024 and due to expire on 09.08.2024

**Consultations:**

**Internal/External:**

**Consultee**

14D Urban D

**Expiry Date**

25.07.2024

**Neighbours:**

2 Marsh Farm Road, Twickenham, TW2 6SH, - 11.07.2024  
4 Hamilton Road, Twickenham, TW2 6SN, - 11.07.2024  
2 Hamilton Road, Twickenham, TW2 6SN, - 11.07.2024  
5 Marsh Farm Road, Twickenham, TW2 6SH, - 11.07.2024

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

Development Management

Status: PCO

Application: 24/1729/HOT

Date:

single storey rear and side infill extension

Building Control

Deposit Date: 27.09.2011

Circuit alteration or addition in kitchen/ special location Replacement consumer unit

Reference: 11/NIC02208/NICEIC

Building Control

Deposit Date: 13.10.2011

3 Windows

Reference: 12/FEN00001/FENSA

Building Control

Deposit Date: 25.08.2011

4 Windows

Reference: 12/FEN00024/FENSA

Building Control

Deposit Date: 25.01.2014

Installed a Gas Boiler

Reference: 14/FEN00306/GASAFE

<b>Application Number</b>	<b>24/1729/HOT</b>
<b>Address</b>	3 Hamilton Road Twickenham TW2 6SN
<b>Proposal</b>	Single storey rear and side infill extension
<b>Contact Officer</b>	GNI
<b>Target Determination Date</b>	02.09.24

## 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 contains a two-storey terraced dwelling located to the eastern side of Hamilton Road. The terrace has an existing two storey outrigger.

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

Area Proposed For Tree Planting (Site: 22/1/97)
Area Susceptible To Groundwater Flood - Environment Agency (Superficial Deposits Flooding - >= 75% - SSA Pool ID: 339)
Article 4 Direction Basements (Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018)
Community Infrastructure Levy Band (Low)
Conservation Area (CA72 Hamilton Road Twickenham)
Increased Potential Elevated Groundwater (GLA Drain London)
Main Centre Buffer Zone (Twickenham Town Centre Boundary Buffer Zone - A residential development or a mixed use scheme within this 400 metre buffer area identified within the Plan does not have to apply the Sequential Test (for Flood Risk) as set out in Local Plan policy LP21.)
Surface Water Flooding (Area Less Susceptible to) - Environment Agency ()
Take Away Management Zone (Take Away Management Zone)
Throughflow Catchment Area (Throughflow and Groundwater Policy Zone) (Adopted: October 2020 , Contact: Local Plan Team )
Throughflow Catchment Area (Throughflow and Groundwater Policy Zone) (Adopted: October 2020 , Contact: Local Plan Team )
Village (Twickenham Village)
Village Character Area (Hamilton Road - Area 12 & Conservation Area 72 Twickenham Village Planning Guidance Page 40 CHARAREA13/12/01)
Ward (South Twickenham Ward)

## 3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises a single storey rear and side infill extension.

There is no relevant planning history associated with the site.

## 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
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 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

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	Ne
Impact on Designated Heritage Assets	LP3	Yes	Ne
Impact on Amenity and Living Conditions	LP8	Yes	Ne
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	Ne

These policies can be found at

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](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	Ne

Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No
Amenity and living conditions	46	Yes	No

### Supplementary Planning Documents

House Extension and External Alterations  
Residential Development Standards  
Village Plan - Twickenham

These policies can be found at:

[https://www.richmond.gov.uk/services/planning/planning\\_policy/local\\_plan/supplementary\\_planning\\_documents\\_and\\_guidance](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  
Hamilton Road Twickenham Conservation Area Statement  
Strategic Flood Risk Assessment 2021

### 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 Flood Risk
- iv Fire Safety
- v Biodiversity

### i Design and impact on heritage assets

*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'.*

*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 covers Designated Heritage Asset and states that proposals should conserve and take opportunity to make positive contribution to the historic environment such as retaining and preserving the original structure, layout, architectural features and materials or reinstatement of heritage assets. Appropriate materials and techniques should be used. There is a requirement to seek to avoid harm or justify for loss and demolition will be resisted. The significance of the asset is taken into consideration when assessing works proposed to a designated heritage asset.*

*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.*

The application seeks consent for a single storey infill and rear extension. The proposed extension will have an eave height of 2.2m. The infill component will have maximum depth of 5.5m, while the rear extension has a depth of 1.7m beyond the existing rear building line. Three rooflights are proposed along infill component of the extension. The materials are proposed to match the exiting dwelling.

The application was reviewed by Council's Conservation Officer who advised there is no objection to the proposed infill and rear extension. The proposed development is single storey in height and maintains a subservient relationship with the host dwelling. In depth it would match the neighbour's extension at no. 4 and is therefore in keeping with the existing pattern of development within the row. The proposed rooflights would have minimal projection from the roof slope and would not be readily visible from the street frontage or the rear of the site. The proposed materials of stock brick and slate to match existing are acceptable. The extension would not be visible from public areas of the conservation area, preserving the area's character and appearance with no resulting harm.

The proposed development is in accordance with the Statutory Duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 Act as the proposals would preserve the character and appearance of the conservation area and paragraph 205 and 209 of the NPPF (2023). The proposal is also considered to be in accordance with local policies LP1 and LP3 of the Local Plan and policies 28 and 29 of the Publication Local Plan.

## **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 terrace 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 dwellings 4 Hamilton Road and 2 Hamilton Road adjoin the host dwelling to the north and south respectively. 2 Marsh Farm Road is located to the east of the subject site. Given their proximity to the host dwelling, it is considered that any alteration here would likely have the greatest potential impact upon their amenity.

### 4 Hamilton Road

The proposed rear extension will match the depth of no.4's rear extension. As a result, no amenity adverse amenity impacts are anticipated to this dwelling.

### 2 Hamilton Road

Whilst the infill component of the extension has a depth of 5.5m, the proposal has a reduced eave height of 2.2m in accordance with policy guidance. Accordingly, it is considered that adverse amenity impacts, including a sense of enclosure have been appropriately mitigated. The proposed rooflights are located above head height and as such are not considered to result in any privacy impacts to no. 2.

### 2 Marsh Farm Road

Due to the position of the dwelling within this property, the location of the subject works and the separation distances to windows, no adverse privacy or other amenity impacts are considered to result from the development.

As such, the application is considered consistent with the aims and objectives of policy LP8 Richmond Local Plan (2018), LP46 and of the Richmond Publication Local Plan (Regulation 19 version) and the SPD relating to House Extensions and External Alterations

### **iii Flood Risk**

Policy LP 21 'Flood Risk and Sustainable Drainage' states that all developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere. The proposed extension will have the same floor height as the existing dwelling and is considered acceptable.

### **iv Fire Safety**

*London Plan policy D12 requires the submission of a Fire Safety Statement on all planning applications.*

A Fire Safety Strategy been submitted in support of the application. The applicant is 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 2<sup>nd</sup> 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. 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**

**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): ...GNI..... Dated: .....12.08.24.....

**I agree the recommendation:**

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

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: .....