

Application reference: 24/1778/HOT HAM, PETERSHAM, RICHMOND RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
12.07.2024	16.07.2024	10.09.2024	10.09.2024

Site:

17 Arlington Road, Petersham, Richmond, TW10 7BX

Proposal:

Proposed single storey rear extension and window alterations at first floor.

APPLICANT NAME

Elena Dieckman
17 Arlington Road
Petersham
Richmond
TW10 7BX

AGENT NAME

Mr Dan Brandt
45 Maplewell Road
Woodhouse Eaves
Loughborough
LE12 8RG

Neighbours:

18 Arlington Road, Petersham, Richmond, TW10 7BY, - 18.07.2024
16 Arlington Road, Petersham, Richmond, TW10 7BY, - 18.07.2024
19 Arlington Road, Petersham, Richmond, TW10 7BX, - 18.07.2024
15 Arlington Road, Petersham, Richmond, TW10 7BX, - 18.07.2024
34 Lauderdale Drive, Petersham, Richmond, TW10 7BT, - 18.07.2024

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

Building Control

Deposit Date: 15.07.1998 Alteration to drain run. Insertion of RSJ.
Reference: 98/1194/BN

Building Control

Deposit Date: 28.04.2006 Installed a Gas Fire
Reference: 06/94356/CORGI

Building Control

Deposit Date: 14.04.2015 Install replacement windows in a dwelling Install replacement door in a dwelling
Reference: 15/FEN00718/FENSA

Building Control

Deposit Date: 25.07.2015 Circuit alteration or addition in a special location
Reference: 15/NIC02065/NICEIC

Building Control

Deposit Date: 25.09.2015 Install replacement windows in a dwelling
Reference: 15/FEN01828/FENSA

Building Control

Deposit Date: 24.09.2015 Install replacement windows in a dwelling Install replacement doors in a dwelling
Reference: 15/FEN01844/FENSA

Building Control

Deposit Date: 15.12.2015 Install replacement window in a dwelling
Reference: 15/FEN02313/FENSA

Building Control

Deposit Date: 29.03.2017 Install replacement windows in a dwelling
Reference: 17/FEN00824/FENSA

Building Control

Deposit Date: 17.07.2024 Single storey rear extension
Reference: 24/0864/IN

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Address	17 Arlington Road, Petersham, Richmond, TW10 7BX
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Contact Officer	Kerry McLaughlin

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 has 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 is taking into account 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 proposal property is a two-storey, semi-detached dwelling, located on the eastern side of Arlington Road.

The application site is subject to the following planning constraints:

Area Susceptible to Groundwater Flood - Environment Agency	Superficial Deposits Flooding - \geq 75% - SSA Pool ID: 308
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Increased Potential Elevated Groundwater	GLA Drain London
Neighbourhood Plan Area	Ham and Petersham Neighbourhood Area - Ham and Petersham Neighbourhood Plan - Adopted by Council on 22 January 2019
Protected View (Indicative Zone)	N_View_004 View from near Ham House to Orleans House
Protected View (Indicative Zone)	N_View_005 View to Marble Hill House (north)
Village	Ham and Petersham Village
Ward	Ham, Petersham and Richmond Riverside Ward

3. RELEVANT PLANNING HISTORY

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

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.

2 letters of observation have been received. These comments are summarised as follows:

Consideration should be given to the height of the wall against the boundary of 15 Arlington Road to ensure it complies with local planning policy, given that the extension will comprise a flat roof extending 4.35m beyond the rear of the existing house and the distance between the two properties is less than 2m. The wall should not be overbearing or infringe upon light. - Officer Note: Neighbour amenity considerations are assessed under Section 7 in the report below.

- Non-receipt of council's neighbour notification letter - Officer Note: Council records show that the property in question was notified of this application. The Council fulfilled its statutory notification requirements on this case.
- Party Wall Matters - Officer Note: party wall matters are not a material planning consideration. Further information on party walls can be found via the following link:
https://www.richmond.gov.uk/services/environment/building_control/building_regulations_explained/party_wall_act_1996

5. AMENDMENTS

Prior to officer assessment, following receipt of public observation, the applicant submitted revised elevations to confirm that the scheme passes the 45 degree BRE test.

6. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

- 4 - Decision-making
- 12 - Achieving well-designed places

These policies can be found at:

https://assets.publishing.service.gov.uk/media/65819679fc07f3000d8d4495/NPPF_December_2023.pdf

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/new-london-plan/london-plan-2021>

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
Views and Vistas	LP5	Yes	No
Amenity and Living Conditions	LP8	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.

Where relevant to the application under consideration, this is addressed in more detail in the assessment below.

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP28	Yes	No
Views and Vistas	LP31	Yes	No

Amenity and Living Conditions	LP46	Yes	No
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These policies can be found at https://www.richmond.gov.uk/draft_local_plan_publication_version

Ham and Petersham Neighbourhood Plan (2019)

The main policies applying to the site are as follows:

Issue	Plan Policy	Compliance	
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

Ham and Petersham Village Plan

These policies can be found at:

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

7. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design/Visual Amenity
- ii Neighbour Amenity
- iii Protected Views
- iv Biodiversity

Issue i - Design/Visual Amenity

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.

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 SPD on House Extensions and External Alterations notes that the doors and windows are an integral part of the house which should be in keeping with its overall style, age and character. Windows are an important feature and an inappropriate choice can spoil an otherwise satisfactory design. The SPD states the following about doors and windows:

- *Full-length glass doors should be avoided.*
- *Windows should maintain existing detail and style with the main windows in the house.*
- *Avoid mixing window styles.*

Rear Extension

The proposal seeks to erect a full-width, stepped, single-storey rear extension. The extension comprises flat roofs, incorporating skylights within. The height of the extension will be sited comfortably below the cill of the first-floor level fenestration, as required under SPD. Given the proposed dimensions in comparison to the existing built form, the rear extension will not appear overly dominant and will appear subordinate to the original building.

The proposed exterior materials comprise red stock brickwork to match that of the existing, with GRP flat roof, this ensures the development will integrate satisfactorily with the original dwellinghouse. With regard to fenestration, the scheme proposes largely glazed, aluminium framed windows and doors to the rear elevation and an opaque glazed door to the side elevation. The proposed fenestration retains window hierarchy, as outlined in the 'House Extensions and External Alterations' SPD. The contemporary materials assist in reducing the visual bulk and contribute to helping the extension appear an obvious addition to the main dwellinghouse. No objections are raised with regard to materials.

The amenity space in the rear garden would be reduced as a result of the proposal. However, the reduction

will not be significant, when compared to the rear garden area and does not harm local character.

When viewed in the context of the neighbouring additions, it is considered that the proposed development would not harm the character and appearance of the surrounding area.

Fenestration

The fenestration alterations at first floor retain the existing design and proportions to that of the existing, as such no objections are raised in this regard.

The proposed scheme is considered acceptable in terms of design/visual amenity. The proposal is not considered to detrimentally impact the character of the wider area or host building and therefore, is in line with the aims and objectives of policy LP1 of the Local Plan (2018), these policy objectives are taken forward in publication local plan policy LP28 and relevant supplementary planning documents.

Issue ii - 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 3.5m deep on a semi-detached 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 property would remain solely in residential use as a result of the proposal. An undue increase in noise or pollution would not occur as a result of the proposal.

Fenestration

The fenestration alterations at first floor level will not result in any new lines of sight above that which can already be achieved through the existing fenestration. Thus, the proposal will not result in an increase in overlooking or raise any issues with regard to privacy on any neighbouring properties.

Rear Extension

As this element of the proposal is at ground level only the proposal does not raise any issues in terms of loss of privacy.

15 Arlington Road

15 Arlington Road benefits from a single-storey rear extension sitting adjacent to the shared boundary line, approved under Ref: 22/1373/PS192. The proposed extension would project no more than 3.5m beyond the rear elevation of this extension, this is considered an acceptable projection which would satisfy the guidelines set out in the House Extensions and External Alterations SPD.

The scheme is in compliance with the 45-degree test from the Building Research Establishment (BRE) standards against the rear windows of the extension at No.15, this confirms the scheme will not result in any significant loss of daylight or sunlight to this habitable room. Given siting from the boundary and scale the rear extension will not result in any undue overshadowing to the garden amenity space.

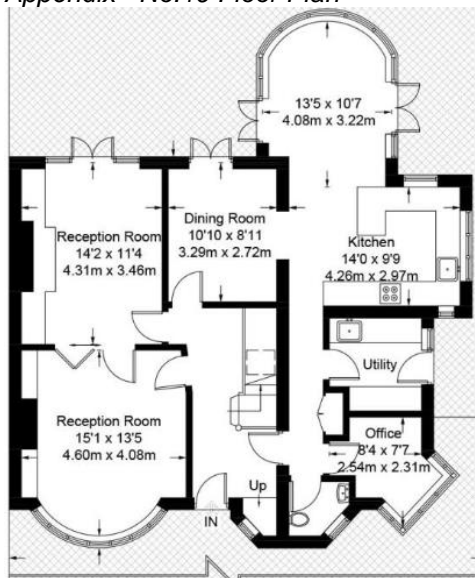
For the above reasons, it is considered that the proposed rear extension will not result in any undue overbearing impact, loss of light, visual intrusion or create a sense of enclosure to this property.

19 Arlington Road

Neighbouring amenity concerns are raised in relation to No.19 Arlington Road. The councils 'House Extensions and External Alterations' (2015) SPD states "Extensions that create an unacceptable sense of enclosure or appear overbearing when seen from neighbouring gardens or rooms will not be permitted." The document notes, "The effect of a single storey extension is usually acceptable if the projection is no further than 3.5m for a semi-detached property," but does go on further to state "In such instances, where the depth exceeds that outlined above, the eaves height should be limited to 2.2m to mitigate the sense of enclosure." The proposed extension is 4m in depth from the rear elevation of the neighbouring property and fails to comply with guidance regarding 2.2m to the eaves by proposing 3m in eaves height. It is noted the SPD does state "the final test of acceptability will depend on the particular circumstances on the site, which may justify greater rear projection. For example, distances from the boundary and neighbouring properties; height adjacent to the boundary; use of materials and layout of neighbouring sites." There are no onsite circumstances that can justify a deviation from SPD in this case.

The closest adjacent rear facing windows at No.19 appear to serve a reception room, as shown in the appendix below. The scheme is likely to impact upon neighbouring amenity, given the excessive depth and height of the extension in relation to these windows, which do serve a habitable room. As such, given the separation distances will be minimal, and the extension projects greater than both the guidance outlined within the SPD and indeed the depth permitted under permitted development rights, it is considered that the proposal will appear visually intrusive, overbearing and likely to cause a sense of enclosure.

Appendix - No. 19 Floor Plan



Overall, owing to its siting, bulk, mass and scale, the extension would appear overbearing, visually intrusive, would impact on the outlook and result in an increased sense of enclosure in particular to No.19 Arlington Road. As such, the proposal is contrary to, in particular, Policy LP8 of the Local Plan (2018), these policy objectives are taken forward in publication local plan policy LP46, and the following the following Supplementary Planning Documents/Guidance; House Extensions and External Alterations (2015).

Notwithstanding the above, the scheme is in compliance with the 45- degree light test from the Building Research Establishment (BRE) standards against the adjacent rear facing window, no objections are raised against loss of light.

Issue iii - Protected Views

Policy LP5 of the local plan states 'The council will protect the quality of the views, vistas, gaps and the skyline, all of which contribute significantly to the character, distinctiveness and quality of the local and wider area'.

Due to the nature and proposed height of the scheme being lower than that of the surrounding built form, it is considered this proposal will have a neutral impact on the '004 View from near Ham House to Orleans House' & '005 View to Marble Hill House (north)' protected views. Therefore, the scheme is compliant with the aims and objectives of LP5 of the Local Plan (2018), these policy objectives are taken forward in publication local plan policy LP31.

Issue 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.

Other Matters

Fire Safety

The applicant has submitted a 'Fire Strategy Document' as required under policy D12 of the London Plan (2021).

The applicant is advised that alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made.

8. 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.

9. RECOMMENDATION

Refuse planning permission for the following reasons

Reason for Refusal - Neighbour Amenity

The proposed extension by reason of its combined height, depth and siting will result in an overbearing sense of enclosure and visually intrusive form of development that will adversely impact on the residential amenity of nearby occupants, in particular, No.19 Arlington Road. The proposed development would thereby be contrary to, in particular, policy LP8 of the Local Plan (2018), the Richmond Publication Version Local Plan (Regulation 19 version) in particular policies 46 and the council's 'House Extensions and External Alterations' (2015) Supplementary Planning Document.

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): KM

Dated: 05.09.2024

I agree the recommendation:



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

Dated: ...06/09/2024.....