

Application reference: 24/1727/HOT
HAMPTON WARD

Date application received	Date made valid	Target report date	8 Week date
08.07.2024	10.07.2024	04.09.2024	04.09.2024

Site:

8 Harvey Drive, Hampton, TW12 2FB,

Proposal:

Demolition of existing conservatory. Erection of a single storey rear extension. Loft conversion, facilitated by erection of rear dormer and insertion of window to gable wall.

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

APPLICANT NAME

G & A Kapllani
8 Harvey Drive
Hampton
Richmond Upon Thames
TW12 2FB

AGENT NAME

Elaine Kimber
69-71 Windmill Rd
Sunbury on Thames
TW16 7DT

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
LBRuT Trees Preservation Officer (North)

Expiry Date

25.07.2024
25.07.2024

Neighbours:

17 Harvey Drive, Hampton, TW12 2FB, - 11.07.2024
18 Harvey Drive, Hampton, TW12 2FB, - 11.07.2024
28 Belgrade Road, Hampton, TW12 2AZ, -
24 Belgrade Road, Hampton, TW12 2AZ, - 11.07.2024
26 Belgrade Road, Hampton, TW12 2AZ, - 11.07.2024
9 Harvey Drive, Hampton, TW12 2FB, - 11.07.2024
7 Harvey Drive, Hampton, TW12 2FB, - 11.07.2024

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

Development Management

Status: PDE

Date:

Application:07/T0519/TCA

T1 - Sycamore (Acer pseudoplatanus) - Remove ivy and crown thin by 20%

Development Management

Status: GTD

Date:16/12/2008

Application:08/T0716/TCA

T1 - Sycamore - repollard

Development Management

Status: GTD
Date:15/06/2015

Application:15/1630/HOT
CONVERSION OF EXISTING GARAGE TO HABITABLE USE INCLUDING NEW BAY WINDOW IN PLACE OF EXISTING GARAGE DOOR

Development Management

Status: RNO
Date:28/04/2016

Application:16/T0190/TCA
T1-8 - Sycamore - Remove 4x smallest stems and crown reduce remaining 4x back to previous reduction points (20% up to 3m).

Development Management

Status: RNO
Date:21/07/2020

Application:20/T0429/TCA
Rear T1 Multi stemmed Sycamore - Fell as low as possible as too big for location and shading over trees - touching other properties with potential to cause damage T2 Holly Reduce by approx 1.5-2m all round to contain and shape Final height 3m and spread 2m Front garden T3 - Dead Rowan Fell as dead

Development Management

Status: PCO
Date:

Application:24/1727/HOT
Demolition of existing conservatory. Erection of a single storey rear extension. Loft conversion, facilitated by erection of rear dormer and insertion of window to gable wall.

Building Control

Deposit Date: 06.08.1997

Erection of 74 new detached terrace houses/flats (Now known as 1-23 Harvey Drive, 1-6 Aird Court 2B Belgrade Road, 1-18 Gander Green Crescent) (Isabel Hill Close)

Reference: 97/1164/FP

Building Control

Deposit Date: 21.08.2015
Reference: 15/1998/BN

Conversion of garage to kitchen and removal of present kitchen

Building Control

Deposit Date: 23.09.2015
Reference: 15/ELE00364/ELECSA

Install one or more new circuits Install a replacement consumer unit

Building Control

Deposit Date: 23.09.2015
Reference: 15/FEN02793/GASAFE

Install a gas-fired boiler

Building Control

Deposit Date: 23.09.2015
Reference: 15/ELE00425/ELECSA

Install one or more new circuits Install a replacement consumer unit

Building Control

Deposit Date: 04.12.2015
Reference: 16/HET00048/HETAS

Installed Burley: Springdale

Application Number	24/1727/HOT
Address	8 Harvey Drive, Hampton, TW12 2FB
Proposal	Demolition of existing conservatory. Erection of a single storey rear extension. Loft conversion, facilitated by erection of rear dormer and insertion of window to gable wall (as per application form)
Contact Officer	GAP
Target Determination Date	04.09.2024

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 subject site is occupied by a semi-detached property located in the Conservation Area CA12 Hampton Village (CA). The immediate locality does not present locally or nationally listed structures. No TPOs (protected trees) have been detected within the application site or its immediate surroundings.

The application site is located within an Area Susceptible to Groundwater Flood - Environment Agency (Superficial Deposits Flooding - $\geq 50\%$).

The application property is in Hampton Village, Hampton Ward, and to the western side of the cul-de-sac Harvey Drive, Hampton.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises:

Single storey lean-to-roof rear extension replacing the existing conservatory.

Rear dormer roof extension.

Side loft window.

The comprehensive list of planning history can be found above.

4. CONSULTATIONS CARRIED OUT

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

No. 28 Belgrade Road, Hampton, objects to the scheme in terms of loss of privacy via the proposed rear dormer.

The Council's Urban Design Team was consulted as part of this application and their comments are included in the main body of this report.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

16. Conserving and enhancing the historic environment

The NPPF (2023) can be found at:

<https://www.gov.uk/guidance/national-planning-policy-framework>

London Plan (2021)

D12 Fire Safety

The London Plan (2021) can be found here: <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 Trees, Woodlands and Landscape	LP16	Yes	Ne
Flooding	LP21	Yes	Ne

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	
Local character and design quality	28	Yes	Ne
Designated heritage assets	29	Yes	Ne
Amenity and living conditions	46	Yes	Ne
Trees, Woodland and Landscape	42	Yes	Ne
Flood Risk and Sustainable Drainage	8	Yes	Ne

Supplementary Planning Documents

House Extension and External Alterations (2015)
Hampton Village Planning Guidance (2017)

These documents 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:

Hampton Village Conservation Area 12 Conservation Area Statement **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.

Determining applications affecting a Listed Building

Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant listed building consent for any works, or whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm.

To give effect to this duty decisions of the court have confirmed that a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. However, this does not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting planning permission where harm to a listed building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.

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 Flooding
- v Fire Safety

i Design and impact on heritage assets

Policy LP 1 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 (2015) 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 (2015) underlines that a significant area of the existing roof should be left beneath a new dormer and on either side of the dormer, thus setting the extension well in from either side of the roof. The dormer should not project above the ridge line and should not be constructed to the front of a house. Hipped or gabled dormers are often preferable to those with flat roofs. Dormer windows should be smaller than that of the windows of the floor below.

The SPD (2015) also underlines that it is preferable that roof lights are flush with the existing roof (conservation type) and that they are carefully placed to line up with the windows on the floor below.

The SPD (2015) states that "in most cases use the same kind of window throughout, with the proportions and sizes of new window openings generally echoing those of the main house".

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'.

There is no objection to demolition of the conservatory. The single storey rear extension would have no wider visibility and would not be out of scale with the host dwelling; no objection.

The Consultee objected to the original submitted dormer because of its excessive width. The starting point for its reduction in width has been suggested being the rear dormer at No. 7, the adjoining neighbour, approved under the application reference: 09/0514/HOT.

The dormer has been reduced in width and slightly in height and it now proportionality resembles the dormer at No. 7, and it is now considered to comply with the SPD (2015).

No objection is raised to the addition of the side loft window that appears in keeping with the existing openings.

The proposals would be in accordance with the Statutory Duties of the 1990 Act as the proposals would preserve the character and appearance of the conservation area. The proposals would not cause harm to the heritage asset and thus the policy test of the NPPF do not apply. Proposals are also in accordance with Local Policies LP 1 and LP 3 and SPD (2015) as well as the emerging Local Plan Policies 28 and 29.

ii Impact on neighbour amenity

Policy LP 8 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 3.5 m in depth for 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 properties likely to be affected by the scheme would be Nos. 7 and 9 Harvey Drive and the properties along Belgrade Road.

The attached neighbour at No. 9 would not be affected by the ground-floor extension, given the proposed extension would be fully contained within the existing party wall.

Such extension would present a depth of approx. 2.80 metres and therefore would be in line with the SPD (2015).

In relation to its impact on No. 7, along with the above, it is noted that the proposed ground-floor extension would slightly project beyond the rear extension at No. 7 and in-between this neighbour and the host property there is a gap of approx. 2 metres that would alleviate any further concerns.

The proposed rear dormer would not project beyond the existing roof contours and therefore this along with the aforementioned extension would not cause significant loss of light and overbearing issues.

The proposed upper floor side widow would cause actual and perceived loss of privacy. This can be mitigated by a reasonable and necessary planning condition requesting such window to be at no time be openable or glazed, otherwise than in obscured glass, below a minimum height of 1.7 metres (5'7") above the relevant floor level.

Turning to the property along Belgrade Road, it is noted that Policy Note 4.8.8 of the Local Plan (2018) states that:

The distance of 20 metres is generally accepted as the distance that will not result in unreasonable overlooking.

It is acknowledged that this distance would be met and exceeded between the proposed rear dormer and the main residential buildings along Belgrade Road, the properties opposite the application site.

However, this distance would not be met when measured from the rear dormer and the rear garden areas of these properties. Notwithstanding this, it is noted that Nos. 28, 26, 24 and 18 Belgrade Road and Nos. 3 and 7 Harvey Drive present rear dormer roof extensions. As such, a mutual degree of overlooking from loft level is an establish reality in the locality and the proposed dormer is not considered to significantly exacerbate this.

In view of the above and subject to the above condition, the proposals would comply with the aims and objectives of policy LP 8 of the Local Plan, policy 46 of the Publication Local Plan and SPD (2015) on House Extensions and External Alterations.

iii Trees

Policy LP 16 of the Local Plan (2018) states that:

The Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.

CA 12 Hampton Village provides statutory tree protection at this site.

The submitted Arboricultural Report, ref: APA/AP/2024/076, dated: 5th July 2024, contains details of 4 on site and 2 off site trees. 2 Cat C Apples are to be removed and one Cat C tree is to be pruned. This appears acceptable and the Apples are not suitable for TPO. It is noted that adequate tree protective fencing and ground protection is proposed and there are no incursions into the RPAs of retained trees.

Subject to fully compliance with the submitted Arboricultural Report and a replating condition the proposals are considered acceptable.

iv Flooding

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 scheme would be set no lower than the than the existing floor level mitigating flood concerns at the site.

v Fire Safety

The fire information received is considered adequate to the scale of the development proposed and would meet the requirements of Policy D12(A) of the Local Plan (2021) and to this extent a compliance condition will be attached to the decision notice.

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.

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

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): GAP Dated: 21/08/2024

I agree the recommendation: CTA

Team Leader/Head of Development Management/Principal Planner

Dated:04/09/2024.....

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