

## Application reference: 24/1855/HOT NORTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
19.07.2024	19.07.2024	13.09.2024	13.09.2024

### Site:

15 Ashley Road, Richmond, TW9 2TG,

### Proposal:

Replacement roof to existing ground floor rear/side infill extension including the insertion of a conservation style rooflight. New bi-fold door opening to rear elevation.

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

### APPLICANT NAME

Mr and Mrs Beveridge  
15 Ashley Road  
Richmond  
TW9 2TG

### AGENT NAME

Mr Gerard Judge  
3 Cardinal Avenue  
Morden  
SM4 4TA

**DC Site Notice:** printed on 25.07.2024 and posted on 02.08.2024 and due to expire on 23.08.2024

### Consultations:

#### Internal/External:

#### Consultee

14D Urban D

#### Expiry Date

08.08.2024

### Neighbours:

5 Evelyn Terrace, Richmond, TW9 2TQ, -  
4 Evelyn Terrace, Richmond, TW9 2TQ, - 25.07.2024  
8 Ashley Road, Richmond, TW9 2TG, - 25.07.2024  
6 Ashley Road, Richmond, TW9 2TG, - 25.07.2024  
17 Ashley Road, Richmond, TW9 2TG, - 25.07.2024  
13 Ashley Road, Richmond, TW9 2TG, - 25.07.2024

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

#### Development Management

Status: GTD Application:05/0568/PS192  
Date:04/04/2005 Proposed ground floor extension to rear of property.

#### Development Management

Status: GTD Application:05/T0182/TCA  
Date:20/04/2005 T1 - Fir Tree - Cut down

#### Development Management

Status: REF Application:24/0485/PS192  
Date:22/04/2024 Single storey rear extension and insertion of rooflights in the rear roof slopes. Existing front door to be brought forward into the existing opening.

#### Development Management

Status: REF Application:24/1157/PS192  
Date:17/05/2024 Single storey rear extension and insertion of rooflights in the rear roof slopes.

#### Development Management

Status: GTD Application:24/1779/PS192  
Date:19/07/2024 Insertion of rooflights in the rear roof slopes.

Development Management

Status: PDE

Date:

Application:24/1855/HOT

Replacement roof to existing ground floor rear/side infill extension including the insertion of a conservation style rooflight. New bi-fold door opening to rear elevation.

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Building Control

Deposit Date: 31.08.2004

Reference: 04/1778/FP

Removal of wall and installation of steel support in living room.

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Building Control

Deposit Date: 04.04.2005

Reference: 05/0641/BN

Single storey rear infill extension

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Building Control

Deposit Date: 25.01.2014

Reference: 14/FEN00686/GASAFE

Installed a Gas Boiler

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Building Control

Deposit Date: 07.03.2021

Reference: 21/NAP00095/NAPIT

Install a replacement consumer unit

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<b>Application Number</b>	<b>24/1855/HOT</b>
<b>Address</b>	<b>15 Ashley Road, Richmond, TW9 2TG</b>
<b>Proposal</b>	<b>Replacement roof to existing ground floor rear/side infill extension including the insertion of a conservation style rooflight. New bi-fold door opening to rear elevation.</b>
<b>Contact Officer</b>	<b>Kerry McLaughlin</b>

## 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, terrace dwelling, located on the western side of Ashley Road.

The application site is subject to the following planning constraints:

Area Susceptible to Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 75% - SSA Pool ID: 146
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Conservation Area	CA36 Kew Foot Road
Increased Potential Elevated Groundwater	GLA Drain London
Throughflow Catchment Area (Throughflow and Groundwater Policy Zone)	Adopted: October 2020 , Contact: Local Plan Team
Village	Richmond and Richmond Hill Village
Village Character Area	Kew Foot Road - Area 1 & Conservation Area 36 Richmond & Richmond Hill Village Planning Guidance Page 16 CHARAREA06/01/01
Ward	North Richmond Ward
World Heritage Site and buffer zone	Royal Botanic Gardens, Kew Buffer Zone (c) Historic England 2015. Contains OS data. (c) Crown copyright and database 2015. The most publicly available up to date HE data can be obtained from HistoricEngland.org.uk
World Heritage Site and its buffer zone by Historic England.	Royal Botanic Gardens, Kew - World Heritage Site - Buffer Zone

## 3. RELEVANT PLANNING HISTORY

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

Ref	Proposal	Decision
24/1157/PS192	Single storey rear extension and insertion of rooflights in the rear roof slopes.	Refused Permission
24/0485/PS192	Single storey rear extension and insertion of rooflights in the rear roof slopes. Existing front door to be brought forward into the existing opening.	Refused Permission
05/0568/PS192	Proposed ground floor extension to rear of property.	Granted Permission

## 4. CONSULTATIONS CARRIED OUT

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

1 letter of observation has been received. This comment is summarised as follows:

- An infill extension recently completed at 17 Ashley has wall lights at the rear which sometimes shine brightly into the adjacent neighbouring bathroom and bedroom. This lighting is obtrusive when adjacent properties are so close to each other. There is no indication of wall lights on the plans for this extension but make this observation all the same.

Neighbour amenity considerations are assessed under Section 7 in the report below.

**5. AMENDMENTS**

None.

**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
- 16 - Conserving and enhancing the historic environment

These policies can be found at:

[https://assets.publishing.service.gov.uk/media/65819679fc07f3000d8d4495/NPPF\\_December\\_2023.pdf](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
- HC1 - Heritage conservation and growth
- G7 - Trees and woodlands

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
Designated Heritage Assets	LP3	Yes	No
Amenity and Living Conditions	LP8	Yes	No
Trees, Woodland and Landscape	LP16	Yes	No

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.

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
Designated Heritage Assets	LP29	Yes	No
Amenity and Living Conditions	LP46	Yes	No
Trees, Woodland and Landscape	LP42	Yes	No

These policies can be found at [https://www.richmond.gov.uk/draft\\_local\\_plan\\_publication\\_version](https://www.richmond.gov.uk/draft_local_plan_publication_version)

### Supplementary Planning Documents

House Extension and External Alterations  
Richmond and Richmond Hill Village Plan

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:  
CA36 Kew Foot Road Conservation Area Statement  
CA36 Kew Foot Road 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.

## 7. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design/Visual Amenity
- ii Neighbour Amenity
- iii Trees
- 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.*

*Policy LP3 of the Local Plan 2018 covers Designated Heritage Asset and states that proposals should*

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*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 amended roof material (slate) is supported, the scheme is in keeping with the materials used at the host building and neighbouring properties along the host terrace row.

No objections are raised to the roof form which is retaining that of the existing.

The scheme seeks to install rooflights across the new roof of the single-storey extension. Rooflights form a common characteristic to the extensions along the terrace row. The proposed rooflights are appropriately located and of an acceptable scale. However, it is prudent to attach a conservation style rooflight condition.

No objections are raised against the insertion of aluminium framed, bi-fold doors across the combined rear elevation at ground floor level.

The works would preserve the character and appearance of the CA36 Kew Foot Road Conservation Area.

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 conservation area or host building and therefore, is in line with the aims and objectives of policies LP1 & LP3 of the Local Plan (2018), these policy objectives are taken forward in publication local plan policies 28 & 29, 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.*

As the new roof profiles and levels are to match that of the existing, the works are not considered to add additional bulk to the existing dwelling which would result in amenity impact to neighbouring properties.

As the new bi-fold door is at ground level the proposal does not raise any issues in terms of loss of privacy.

The proposed rooflights to the ground floor infill extension raise no significant issues in terms of privacy since they are above head height and face skywards.

It is noted a public observation has been received raising concerns regarding possible light pollution. The proposed rooflights will not result in any further light pollution above that which is already caused by the existing fenestration on the proposal property and surrounding properties.

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.

The proposal is not likely to detrimentally impact the amenities of any neighbouring occupiers and therefore, council are unlikely to raise objection against policy LP8 of the Local Plan (2018) and relevant Supplementary Planning Documents/Guidance.

### **Issue iii - Trees**

*Policy LP16 of the Local Plan states '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.*

The location of this proposal is sited within the CA36 Kew Foot Road, Conservation Area which affords trees both within and adjacent to the site of the proposal, statutory protection. However, there are no recorded Tree Preservation Orders (TPO) within or adjacent to the site of the proposal.

There are no statutory protected trees within the vicinity of the construction area, thus there is no risk that the incorporation of the proposed development and its construction would materially harm the health or longevity of any statutory protected trees.

The proposed development would accord with Policy LP16 of the Local Plan (2018), these policy objectives are taken forward in publication local plan policy LP42.

**Issue iv - 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.

**Other Matters**

**Fire Safety**

The applicant has submitted a 'Fire Safety Statement' 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**

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.

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.

**Grant planning permission with conditions**

**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: 11.09.2024

**I agree the recommendation:**

Official

Senior Planner

VAA

Dated: 11.09.24