



PLANNING REPORT
 Printed for officer by
 Jeremy MacIsaac on 11 September
 2024

Application reference: 24/1602/HOT
 HAM, PETERSHAM, RICHMOND RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
25.06.2024	19.07.2024	13.09.2024	13.09.2024

Site:
 21 New Road, Ham, Richmond, TW10 7HZ
Proposal:
 Replacement windows to front and rear

APPLICANT NAME

Mr Patrick Gorman
 21 New Road
 Ham
 TW107HZ
 United Kingdom

AGENT NAME

DC Site Notice: printed on 23.07.2024 and posted on 02.08.2024 and due to expire on 23.08.2024

Consultations:
Internal/External:
Consultee
 14D Urban D

Expiry Date
 06.08.2024

Neighbours:

- 22 New Road, Ham, Richmond, TW10 7HY, - 23.07.2024
- 24 New Road, Ham, Richmond, TW10 7HY, - 23.07.2024
- 23 New Road, Ham, Richmond, TW10 7HZ, - 23.07.2024
- 19 New Road, Ham, Richmond, TW10 7HZ, - 23.07.2024

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

Development Management

Status: GTD Application: 07/3634/HOT
 Date: 21/01/2008 Demolition of rear extension and erection of one storey rear extension.

Development Management

Status: GTD Application: 17/4061/HOT
 Date: 16/01/2018 Detached outbuilding in rear garden.

Development Management

Status: PCO Application: 24/1602/HOT
 Date: Replacement windows to front and rear

Building Control

Deposit Date: 11.04.2008 Single storey rear extension
 Reference: 08/0794/FP

Building Control

Deposit Date: 12.09.2008 Installed a Gas Boiler
 Reference: 08/COR02036/CORGI

Building Control

Deposit Date: 20.08.2015 Circuit alteration or addition in a special location Install one or more new circuits Install a replacement consumer unit

Reference: 15/NIC02155/NICEIC

Building Control

Deposit Date: 20.08.2015 Circuit alteration or addition in a special location Install one or more new circuits Install a replacement consumer unit

Reference: 15/NIC02174/NICEIC

Building Control

Deposit Date: 18.10.2021 Install a gas-fired boiler

Reference: 21/FEN03434/GASAFE

Application Number	24/1602/HOT
Address	21 New Road Ham Richmond TW10 7HZ
Proposal	Replacement windows to front and rear
Contact Officer	Jeremy Maclsaac
Target Determination Date	13/09/2024

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 property is a 2 storey dwelling on a terrace located in the village of Ham and Petersham that is not listed, nor is it a BTM however it set in Ham Common Conservation Area with no further relevant designations.

The application site is designated as:

Archaeological Priority	Site: Richmond APA 2.11: Ham - Archaeological Priority Area - Tier II
Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 25% <50% - SSA Pool ID: 307
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Community Infrastructure Levy Band	Low
Conservation Area	CA7 Ham Common
Neighbourhood Plan Area	Ham and Petersham Neighbourhood Area - Ham and Petersham Neighbourhood Plan - Adopted by Council on 22 January 2019
Take Away Management Zone	Take Away Management Zone
Village	Ham and Petersham Village
Ward	Ham, Petersham and Richmond Riverside Ward

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises replacement windows to front and rear

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.

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
- 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	No
Impact on Designated Heritage Assets	LP3	Yes	No
Impact on 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.

Issue	Publication Local Plan Policy	Compliance	
		Yes	No
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
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

Other Local Strategies or Publications

Other strategies or publications material to the proposal are:

Community Infrastructure Levy
CA7 Ham Common Conservation Area Statement
CA7 Ham Common 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.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage assets
- ii Impact on neighbour amenity
- iii Fire Safety
- iv Biodiversity

i Design and impact on heritage assets

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.

Proposals are to replace timber windows with uPVC double glazed windows.

No objections are raised to the proposals. Although, replacement timber windows to the front elevation would be encouraged. Matching windows of more standard double glazing could be acceptable to the rear.

Windows make a substantial contribution to the appearance of an individual building. Generally, windows follow standard patterns/styles. Many original timber sliding sash windows survive within this part of the Conservation Area, and these make an important contribution to the special character and appearance.

It is encouraged to retain and repair existing original timber sash windows. If replacement is required, all aspects of the window should be considered including opening type, glazing bar pattern, horns to sashes, and depth. Timber frames are not only the most appropriate option, but a natural material which helps reduce the use of single-use plastics, often found in other windows. Timber windows also have the benefit of being more cost effective, being much more durable and repairable than alternatives, and there are options to maintain their appearance while introducing energy saving and noise reducing features.

It is noted the property could benefit from permitted development rights, which would allow for the replacements as proposed. The style would be noticeably different to the existing particularly with respect to materials and the number of glazing bars, however the proposed is noted to be similar in appearance to a number of other houses within the row. As such, and in context with the permitted development fall back position, harm from the proposals are not foreseen.

In light of the above, is in line with policies LP1 and LP3 of the Local Plan and policies 28 and 29 of the Publication Local Plan and the SPD House Extensions and External Alterations.

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.

Given the siting, scale and nature of the scheme the proposed works are not considered to adversely impact neighbouring residents in terms of overbearing, visual intrusion, or loss of light/overshadowing impacts.

As there is no significant increase in the overall size of the openings or glazed areas, the proposal will not result in an increase in overlooking or raise any issues with regard to privacy on any neighbouring 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 proposed scheme is considered acceptable in terms of neighbour amenity.

The proposal is not considered to detrimentally impact the amenities of any neighbouring occupiers and therefore, is in line with policy LP8 of the Local Plan (2018) and relevant Supplementary Planning Documents/Guidance.

iii Fire Safety

The applicant has submitted a confirmation of FENSA approved installer 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.

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.

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
in Uniform)

YES* NO

(*If yes, complete Development Condition Monitoring

This application has representations online
(which are not on the file)

YES NO

This application has representations on file

YES NO

Case Officer (Initials):JMA.....

Dated:11.09.2024.....

I agree the recommendation:



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

Dated:

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: