

Application reference: 24/1750/HOT KEW WARD

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

Site:

13 Maze Road, Kew, Richmond, TW9 3DA

Proposal:

Rear dormer and conservation rooflights

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

APPLICANT NAME

Mr & Mrs D. Kennerley
13 Maze Road
Kew
Richmond Upon Thames
TW9 3DA

AGENT NAME

Mr John Rich
6A Royal Parade
Kew Gardens
Richmond upon Thames
TW9 3QD
United Kingdom

DC Site Notice: printed on 12.07.2024 and posted on 19.07.2024 and due to expire on 09.08.2024

Consultations:

Internal/External:

Consultee

14D Urban D
14D Urban D
14D Urban D

Expiry Date

20.08.2024
26.07.2024
23.09.2024

Neighbours:

12 Maze Road, Kew, Richmond, TW9 3DA, - 12.07.2024
1 Haverfield Gardens, Kew, Richmond, TW9 3DB, - 12.07.2024
Doughty Cottage, Haverfield Gardens, Kew, Richmond, TW9 3DB, - 12.07.2024
11 Haverfield Gardens, Kew, Richmond, TW9 3DB, - 12.07.2024
9 Haverfield Gardens, Kew, Richmond, TW9 3DB, - 12.07.2024
7 Haverfield Gardens, Kew, Richmond, TW9 3DB, - 12.07.2024
5 Haverfield Gardens, Kew, Richmond, TW9 3DB, - 12.07.2024
3 Haverfield Gardens, Kew, Richmond, TW9 3DB, - 12.07.2024
17 Maze Road, Kew, Richmond, TW9 3DE, - 12.07.2024
2 Haverfield Gardens, Kew, Richmond, TW9 3DD, - 12.07.2024
14 Maze Road, Kew, Richmond, TW9 3DA, - 12.07.2024
11 Maze Road, Kew, Richmond, TW9 3DA, - 12.07.2024
12 Maze Road, Kew, Richmond, TW9 3DA, - 12.07.2024
17 Maze Road, Kew, Richmond, TW9 3DE, - 12.07.2024
1 Haverfield Gardens, Kew, Richmond, TW9 3DB, - 12.07.2024
Doughty Cottage, Haverfield Gardens, Kew, Richmond, TW9 3DB, - 12.07.2024
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5 Haverfield Gardens, Kew, Richmond, TW9 3DB, - 12.07.2024
3 Haverfield Gardens, Kew, Richmond, TW9 3DB, - 12.07.2024
2 Haverfield Gardens, Kew, Richmond, TW9 3DD, - 12.07.2024
14 Maze Road, Kew, Richmond, TW9 3DA, - 12.07.2024

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

Development Management

Status: RNO Application:17/T0585/TCA
Date:16/10/2017 T1 - Apple - Removal of split branch and 2m crown reduction

Development Management

Status: WON Application:17/T0599/TCA
Date:23/07/2019 T1 - Apple - Remove split limb overhanging the garage and crown reduction

Development Management

Status: RNO Application:17/T0600/TCA
Date:10/10/2017 T1 - Pyracantha - Cut back to boundary line and 2.5m crown reduction

Development Management

Status: REF Application:24/0001/HOT
Date:19/03/2024 Ground Floor Side Extension, part demolition of a garage, new widened driveway opening and addition of telescopic driveway gate, loft conversion with dormer, the addition of conservation roof lights, removal of 1 chimney stack, upgrade of all windows, and addition of ASHP and PV panels

Development Management

Status: GTD Application:24/0733/HOT
Date:14/05/2024 Ground Floor Side Extension, part demolition of a garage, new widened driveway opening and addition of telescopic driveway gate, addition of conservation roof lights, upgrade of all windows, addition of ASHP and PV Panels

Development Management

Status: REF Application:24/0734/HOT
Date:14/05/2024 Rear dormer, Conservation Rooflights and PV Panels

Development Management

Status: GTD Application:24/0733/DD01
Date:22/08/2024 Details in pursuant of condition U0181170 (Submitted Arboricultural details) (Part b only) of planning permission 24/0733/HOT

Development Management

Status: RNO Application:24/T0502/TCA
Date:30/07/2024 Removal of Orange pyracantha (*Pyracantha coccinea*) located on Front Elevation of 13 Maze Road, Tree 6 on Tree Constraints plans causing structural damage to the existing drainage system and property because of its proximity to both house and drainage system.

Development Management

Status: PCO Application:24/1750/HOT
Date: Rear dormer and conservation rooflights

Appeal

Validation Date: 18.06.2024 Rear dormer, Conservation Rooflights and PV Panels
Reference: 24/0083/AP/REF

Building Control

Deposit Date: 30.10.2013 Installed a Gas Boiler
Reference: 14/FEN00126/GASAFE

Building Control

Deposit Date: 20.12.2022 Pitched
Reference: 23/NFR00001/NFRCCR

Building Control

Deposit Date: 19.04.2024 Single storey rear including part side infill extension, installation of air source heat pump system, thermal lining of internal walls, alteration to partitioning to create first floor family WC, and Loft conversion
Reference: 24/0483/IN

Building Control

Deposit Date: 20.12.2022 Slating
Reference: 24/NFR00100/NFRCCR

Application Number	24/1750/HOT
Address	13 Maze Road Kew Richmond TW9 3DA
Proposal	Rear dormer and conservation rooflights
Contact Officer	Roberta Henriques
Target Determination Date	04/09/2024 (EOT: 30/09/2024)

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 host site is located on the north eastern side of Maze Road. The property is a corner plot located at the junction of Maze Road and Haverfield Gardens. The site is located within the Kew Green Conservation Area, and is also subject to the following planning designations:

Archaeological Priority	Site: Richmond APA 2.4: Kew Green - Archaeological Priority Area - Tier II
Area Benefiting Flood Defence - Environment Agency.	Areas Benefiting from Defences
Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 50% <75% - SSA Pool ID: 1493
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Community Infrastructure Levy Band	Higher
Floodzone 2	Tidal Models
Floodzone 3	Tidal Models
SFRA Zone 3a High Probability	Flood Zone 3
Surface Water Flooding (Area Less Susceptible to) - Environment Agency	
Take Away Management Zone	Take Away Management Zone
Village	Kew Village
Village Character Area	Kew Residential Roads - Area 2 & Conservation Area 2 Kew Village Planning Guidance Page 19 CHARAREA02/02/03
Ward	Kew Ward

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises of a rear dormer and the insertion of conservation rooflights and PV Panels. .

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

24/0001/HOT Ground Floor Side Extension, part demolition of a garage, new widened driveway opening and Officer Planning Report – Application 24/1750/HOT Page 3 of 10

addition of telescopic driveway gate, loft conversion with dormer, the addition of conservation roof lights, removal of 1 chimney stack, upgrade of all windows, and addition of ASHP and PV panels. Refused.

Reasons for refusal:

1. The telescopic driveway gate and Air Source Heat Pump, due to their siting and design would represent an incongruous form of development that would harm the character and appearance of the host building, street scene and the Kew Green Conservation Area. The development is thereby contrary to the Richmond Local Plan (2018) in particular policies LP1, LP3, the Richmond Publication Version Local Plan (Regulation 19 version) in particular policies 28 and 29, and the Supplementary Planning Documents on House Extensions and External Alterations, Conservation Areas, Kew Village Planning Guidance and Kew Green Conservation Area Statement and the NPPF.

2. The rear dormer by reason its siting, bulk, massing and design would result in an overly dominant and unsympathetic form of the development that would harm the character and appearance of the host building, street scene and the Kew Green Conservation Area. The development is thereby contrary to the Richmond Local Plan (2018) in particular policies LP1, LP3, the Richmond Publication Version Local Plan (Regulation 19 version) in particular policies 28 and 29, and the Supplementary Planning Documents on House Extensions and External Alterations, Conservation Areas, Kew Village Planning Guidance and Kew Green Conservation Area Statement and the NPPF.

24/0733/HOT Ground Floor Side Extension, part demolition of a garage, new widened driveway opening and addition of telescopic driveway gate, addition of conservation roof lights, upgrade of all windows, addition of ASHP and PV Panels. Granted.

24/0733/DD01 Details in pursuant of condition U0181170 (Submitted Arboricultural details) (Part b only) of planning permission 24/0733/HOT. Granted.

24/0734/HOT Rear dormer, Conservation Rooflights and PV Panels. Refused and Appeal Dismissed

Reasons for refusal:

1. The rear dormer by reason its siting, bulk, massing and design would result in an overly dominant and unsympathetic form of the development that would harm the character and appearance of the host building, street scene and the Kew Green Conservation Area. The development is thereby contrary to the Richmond Local Plan (2018) in particular policies LP1, LP3, the Richmond Publication Version Local Plan (Regulation 19 version) in particular policies 28 and 29, and the Supplementary Planning Documents on House Extensions and External Alterations, Conservation Areas, Kew Village Planning Guidance and Kew Green Conservation Area Statement and the NPPF.

Amendments

The PV panels have been omitted.

4. CONSULTATIONS CARRIED OUT

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

No letters of representation have been received.

Neighbour amenity considerations are assessed under Section 6 (impact on neighbour amenity) in the report below.

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	
Flood risk and sustainable drainage	8	Yes	No
Local character and design quality	28	Yes	No
Designated heritage assets	29	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
Conservation Areas
Kew Village Planning Guidance

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

CA2 Kew Green Conservation Area Statement
CA2 Kew Green 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 Flood Risk
- iv Fire Safety

i Design and impact on heritage assets

Policy Context

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 requires development to conserve the historic environment of the borough, and where possible make a positive contribution. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal.

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 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. 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 HC1 of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings’.

Section 8 of the Council’s SPD relating to House Extensions and External Alterations states that roof extensions should be ‘in-scale’ with the existing house, keep existing profiles, not extend beyond the eaves or the ridge and use similar materials to the existing roof. Section 8.3 states that chimney stacks should be retained where possible and repaired in a style and material which reflect the original.

Analysis

No. 13 is a Victorian House located on the corner of Maze Road and Haverfield Gardens. It is a detached two storey house with an existing loft conversion and basement. The house is the end of terrace of 4 Victorian properties.

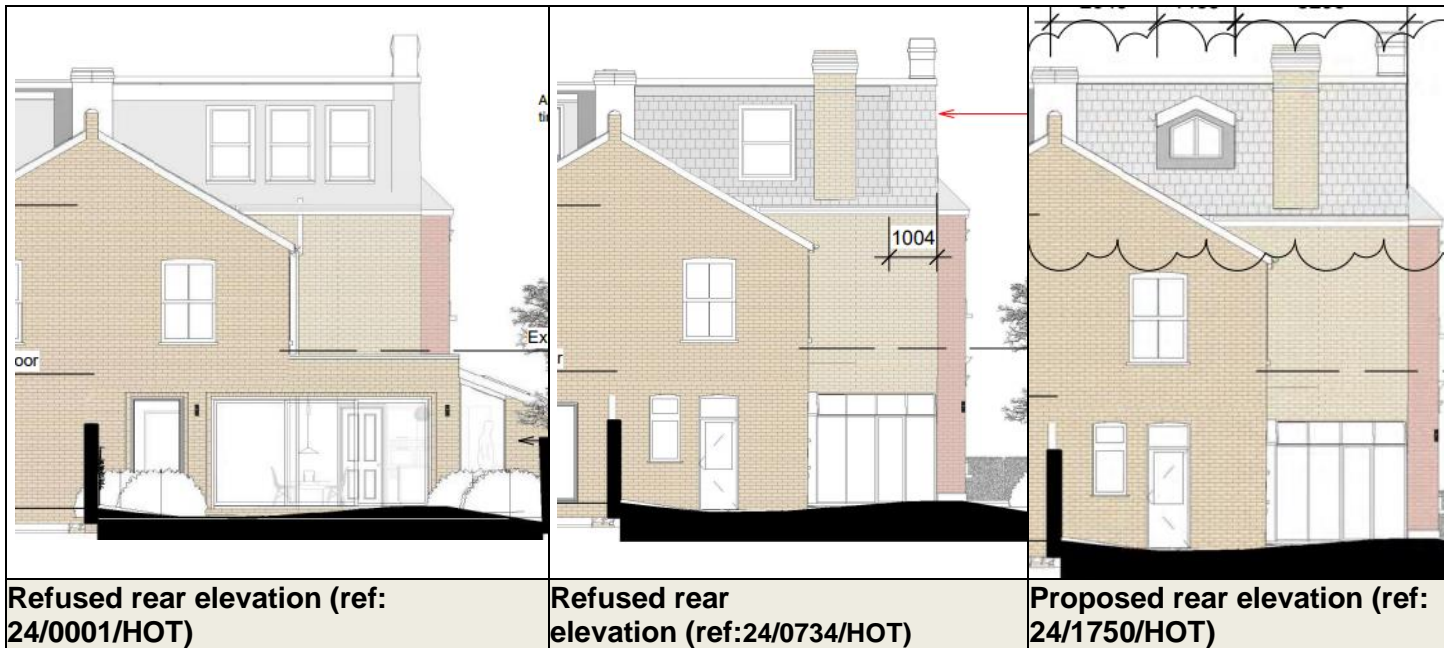
The site is located within the Kew Green Conservation Area. Maze Road itself has two sections; a perpendicular branch off Forest Road which transitions into Haverfield Gardens, and a section that turns the corner of this junction and continues to Bushwood Road. Only a few houses address this second section, and the character is like Haverfield Gardens, so they are assessed as a single area. The houses in this group are part of slightly earlier development along with Gloucester Road and share a similar form, but are of a distinctly different design, more ornamental in their detailing and utilising different materials.

As the previously refused planning applications 24/0001/HOT and 24/0734/HOT, this application proposes a rear dormer. The rear dormer formed one of the reasons for refusal for 24/0001/HOT and 24/0734/HOT, as it failed to be subservient to the dwelling, whilst also being located on a prominent corner, which had a harmful impact on the property and the wider conservation area.

Furthermore, 24/0734/HOT was dismissed at appeal, with the inspector commenting “the scale of the roof addition is large accommodating 2 bedrooms and a bathroom, and the combined extent and form of the proposal would be an unsympathetic addition to the host property”.

There is significant material difference between the previous applications and the current application.

Below are images of drawings ((not to scale) for comparison:



The amendments to the proposed dormer are considered sufficient to alleviate the initial concerns about the dormer being overly bulky and overbearing. The proposed dormer as revised is sufficiently subservient, and now has the substantial enough set in from the eaves, ridge, and side that is required. The proposed rear dormer would therefore integrate well with the appearance of the rear existing property, maintaining subservience and therefore being sympathetic to the character of the property and the wider conservation area. Also, the applicant has retained the chimney, which is an important element.

The rooflights in isolation do not raise any objection. They are considered to be discrete and sympathetic additions, and rooflights are a common characteristic within the locality. Therefore, the rooflights are considered to be an acceptable addition to the Conservation Area and host dwelling.

In view of the above, the proposal complies with the aims and objectives of 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.

On the basis that the extension would be contained directly above the existing roof and would not project beyond the existing rear building line, the proposed rear dormer roof extension is not considered to unduly restrict the light and outlook afforded to the immediate neighbour No. 14 Maze Road, and the neighbour sited perpendicular to the application site, No.2 Haverfield Gardens. The rear facing windows associated with the extension could enable some overlooking of the rear gardens of these neighbours, but on the basis that these views would not be significantly dissimilar to the existing views afforded by first floor rear facing habitable room fenestration, significant harm is not anticipated.

Due to the positioning of the rooflights, they would not facilitate direct overlooking into any neighbours and do not increase existing levels of mutual overlooking.

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 Flood Risk

Policy LP21 of the Local Plan states '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 application site is located within an area susceptible to groundwater flooding, and within flood zones 2 and 3.

A Flood Risk Assessment (FRA) has been provided to support this application, to comply with the requirements of LP21. The FRA states the following:

"It is assumed that the existing arrangement for the discharge of surface water from the development is into the surface water / combined sewerage system. The impermeable area of the site won't be increased, and the existing system is able to support the discharge of water. The proposal will not increase the risk of flooding."

Assuming accordance with these flood risk management measures the proposed application is suitable in flood risk terms.

iv Fire Safety

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

A Fire Safety Strategy has been received on 10th July 2024.

A condition has been included to ensure this is adhered to on an ongoing basis. The applicant is advised that alterations to existing buildings should comply with the Building Regulations. Overall, the scheme can therefore be considered consistent with this Policy D12 of the London Plan.

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): ...RHE.....

Dated:24/09/2024.....

I agree the recommendation:

South Area Team Manager:ND.....

Dated:25.09.2024.....