

Application reference: 24/1867/HOT
HAM, PETERSHAM, RICHMOND RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
22.07.2024	25.07.2024	19.09.2024	19.09.2024

Site:

28 Broughton Avenue, Ham, Richmond, TW10 7TS

Proposal:

Ground floor single storey rear extension

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

APPLICANT NAME

Ms Tanya Hudson
1A Oxford Road
Teddington
Middlesex
City of London
TW11 0QA
United Kingdom

AGENT NAME

Ms Tanya Hudson
1A Oxford Road
Teddington
Middlesex
TW11 0QA
United Kingdom

DC Site Notice: printed on and posted on and due to expire on

Consultations:

Internal/External:
Consultee

Expiry Date

Neighbours:

76 Lock Road, Ham, Richmond, TW10 7LN, - 26.07.2024
30 Broughton Avenue, Ham, Richmond, TW10 7TS, - 26.07.2024
26 Broughton Avenue, Ham, Richmond, TW10 7TS, -

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

Development Management

Status: GTD Application:10/0281/ES191
Date:12/03/2010 Loft extension

Development Management

Status: REF Application:24/0612/HOT
Date:10/05/2024 Ground floor rear extension and front porch. Removal of garage

Development Management

Status: GTD Application:24/1335/HOT
Date:10/07/2024 New front porch

Development Management

Status: REGPD Application:24/1355/PDE
Date:02/07/2024 Single storey rear extension 4.54m in depth, 3m, in height and 2.9m in height to aves.

Development Management

Status: PDE Application:24/1867/HOT
Date: Ground floor single storey rear extension

Building Control

Deposit Date: 16.01.2010 Installed a Gas Boiler

Reference: 10/FEN00305/GASAFE

Building Control

Deposit Date: 03.02.2010 Loft conversion and internal alterations

Reference: 10/0197/IN

Building Control

Deposit Date: 13.09.2024

Reference: 24/1161/IN

Application Number	24/1867/HOT
Address	28 Broughton Avenue Ham Richmond TW10 7TS
Proposal	Ground floor single storey rear extension
Contact Officer	Sukhdeep Jhooti
Target Determination Date	19.09.2024 EOT 26.09.2024

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 application site comprises a two-storey, mid-terraced dwellinghouse within Ham.

- Neighbourhood Plan Area [Ham and Petersham Neighbourhood Area – Ham and Petersham Neighbourhood Plan – Adopted by Council on 22 January 2019]

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises a ground floor rear extension.

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

- 24/1355/PDE. Single storey rear extension. 4.54m in depth, 3m in height and 2.9m in eaves height. Refused.
- 24/1335. New front porch. Granted
- 24/0612/HOT. Ground floor rear extension and front porch. Removal of garage. Refused for the following reason:

1. The proposed extension by reason of its combined height, depth and siting abutting the shared boundary would result in an overbearing and visually intrusive form of development which creates an undue sense of enclosure to neighbouring properties, in particular, No. 28 Broughton Avenue to the south. The proposal is contrary to the following policies: Policy LP1 of the Adopted Local Plan [2018]; Policy 28 of the Draft Publication Version [Reg 19] Local Plan [2023], and the House Extensions and External Alterations SPD [2015].

4. CONSULTATIONS CARRIED OUT

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

One letter of observation received asking planning officer to call the owner of 26 Broughton Avenue.

The case officer did communicate with the owner. Alterations were made to the guttering proposed adjacent to this property. Revised plans were received on 6 August 2024. This is a non-material change. No comments were received after the plans were emailed to this neighbouring property.

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

AMENDMENTS

Alterations were made to the guttering proposed adjacent to 26 Broughton Avenue property. Revised plans were received on 6 August 2024. This is a non-material change.

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
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural 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

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	Ne
Impact on Amenity and Living Conditions	LP8	Yes	Ne
Impact on Biodiversity	LP15	Yes	Ne
Impact on Trees, Woodland and Landscape	LP16	Yes	Ne
Impact on Flood Risk and Sustainable Drainage	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	
Flood risk and sustainable drainage	8	Yes	Ne

Local character and design quality	28	Yes	Ne
Biodiversity and Geodiversity	39	Yes	Ne
Trees, Woodland and Landscape	42	Yes	Ne
Amenity and living conditions	46	Yes	Ne

These policies can be found at:

https://www.richmond.gov.uk/media/11660/adopted_twickenham_area_action_plan_july_2013.pdf

Supplementary Planning Documents

House Extension and External Alterations

These policies can be found at:

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

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design
- ii Impact on neighbour amenity
- iii Trees
- iv Flood Risk
- v Fire Safety

i Design

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.

C2 of the Ham and Petersham Neighbourhood Plan states that all applications for new development must address the neighbourhood character area in which the site is located.

The neighbourhood plan states that “ Dukes Avenue and Broughton Avenue have grass verges with trees leading into the Wates estate in a complementary manner”. It goes on to state that rear extensions should follow council design guidance.

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 proposed single storey rear extension would be built from complementary materials. It would appear as an obvious addition due to the contemporary glazing deployed along its rear elevation. It would not appear excessive in height when viewed against the cill height of first floor windows. Its footprint would be proportionate to the size of the original house and rear garden area.

In view of the above, the proposal complies with the aims and objectives of policies LP1 of the Local Plan and policy C1 of the Ham and Petersham Neighbourhood 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.

The SPD on House Extensions and External Alterations notes that generally an extension of 3m in depth for a terrace 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.

In this instance, the proposed extension would not extend significantly beyond the rear building line of No. 30 Broughton Avenue. It would not lead to a material loss of light or outlook or privacy when viewed from the rear habitable room windows and rear garden area of this neighbouring property due to its overall height, width, depth and siting. It is noted the scheme would comply with the BRE 45 degree test in relation to daylight/sunlight when taken from the centre of the nearest rear ground floor habitable room window of this neighbouring property.

The previous scheme under decision reference: 24/0612/HOT was refused on the impact it would have on No.28 to the south. To address this reason for refusal, the eaves height of the proposed extension adjacent to the common boundary with this neighbouring property has been reduced to 2.2m in order to comply with the Council's SPD relating to House Extensions. As such, it would not lead to a material loss of light, outlook or privacy when viewed from the garden areas and habitable room windows if this neighbouring property.

In view of the above, the proposal would safeguard neighbour living conditions in line with LP8 of the Local Plan and Policy 46 of the Publication Local Plan.

iii Trees

Policies LP15 and LP16 seek to protect biodiversity and health and longevity of trees, woodland and landscape in the borough. Local Plan policy LP16, subsection 5 requires;

"That trees are adequately protected throughout the course of development, in accordance with British Standard 5837 - Trees in relation to design, demolition and construction, Recommendations (2012)."

The is not within a conservation area and there are no TPO trees on site. The scheme would comply with LP16 of the Local Plan.

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.

v Fire Safety

Policy D12 of the London Plan relates to fire safety. A fire safety statement has been submitted which meets the aims and objectives of Policy D12. This does not override the need for the scheme to comply with the Building Regulations.

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.

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 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): ...SJH Dated: ...26.09.2024

I agree the recommendation:

Senior Planner

Dated: ...EMC 26.09.24

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: