

Application reference: 24/1619/HOT
HAMPTON WICK AND SOUTH TEDDINGTON WARD

Date application received	Date made valid	Target report date	8 Week date
26.06.2024	26.06.2024	21.08.2024	21.08.2024 EoT: 02/10/2024

Site:

18 Church Grove, Hampton Wick, Kingston Upon Thames, KT1 4AL

Proposal:

Rebuilding of front garden wall and pier and creation of new 2.5m vehicle crossover to provide access to one parking space with associated landscaping.

APPLICANT NAME

Mr Tim Routledge
18 Church Grove
London
Hampton Wick
KT1 4AL
United Kingdom

AGENT NAME

DC Site Notice: printed on 27.06.2024 and posted on 05.07.2024 and due to expire on 26.07.2024

Consultations:

Internal/External:

Consultee

14D Urban D
LBRUT Transport
LBRUT Highways
LBRuT Trees Preservation Officer (North)

Expiry Date

11.07.2024
11.07.2024
11.07.2024
08.08.2024

Neighbours:

Flat 5,14 Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AL, - 27.06.2024
28 Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AL, - 27.06.2024
24 Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AL, - 27.06.2024
4 Station Road,Hampton Wick,Kingston Upon Thames,KT1 4HG, - 27.06.2024
22 Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AL, - 27.06.2024
20 Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AL, - 27.06.2024
16 Church Grove,Hampton Wick,Kingston Upon Thames,KT1 4AL, - 27.06.2024
51 Park Road,Hampton Wick,Kingston Upon Thames,KT1 4AS, - 27.06.2024
47 Park Road,Hampton Wick,Kingston Upon Thames,KT1 4AS, - 27.06.2024
49 Park Road,Hampton Wick,Kingston Upon Thames,KT1 4AS, - 27.06.2024

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

Development Management

Status: GTD Application:00/T0753
Date:13/06/2000 Birch - Formative Prune, Remove Competing Leader

Development Management

Status: GTD Application:00/T0754
Date:13/06/2000 Tulip Tree - Flatten Back Cypress And Climber To Clear From Tulip Tree

Development Management

Status: GTD Application:02/T0463
Date:21/03/2002 Eucalyptus - Crown Reduce By 30 And Re-shape To Form Contained Specimen

<u>Development Management</u> Status: GTD Date:19/05/2004	Application:04/T0817 Yew (taxus Baccata) - Crown Reduce By 30
<u>Development Management</u> Status: GTD Date:19/05/2004	Application:04/T0818 Portuguese Laurel (laurus) - Crown Reduce By 30 And Reduce As Far As Possible Towards Garden.
<u>Development Management</u> Status: GTD Date:19/05/2004	Application:04/T0819 Yew (taxus Baccata) - Espalier Are Reduce To Fence Height.
<u>Development Management</u> Status: GTD Date:19/05/2004	Application:04/T0820 Portuguese Laurel (laurus) - Tip Reduce.
<u>Development Management</u> Status: GTD Date:19/05/2004	Application:04/T0821 Silver Birch (betula Pendula) - Tip Reduce On Opposing Side To Yew To Rebalance.
<u>Development Management</u> Status: GTD Date:19/05/2004	Application:04/T0822 Leyland Cypress (cupressocyparis Leylandii) - Crown Reduce By 20 To Shape.
<u>Development Management</u> Status: GTD Date:19/05/2004	Application:04/T0823 Lawson Cypress (cupressocyparis Leylandii) - Tip Reduce To Avoid Encroachment To Tulip Tree.
<u>Development Management</u> Status: GTD Date:26/09/1974	Application:74/0452 Demolition of existing sheds and erection of double length car port, the provision of timber screen gates and the formation of a new vehicular access.
<u>Development Management</u> Status: GTD Date:	Application:05/T0581/TCA T1 - Eucalyptus gunnii - Reduce to approximately 3 metres and reshape.
<u>Development Management</u> Status: GTD Date:24/06/2008	Application:08/1430/HOT New rear upper ground floor extension, new garage, new hard landscaping, removal of existing lean-to conservatory and amendments to existing fenestration.
<u>Development Management</u> Status: WNA Date:25/06/2008	Application:08/1431/CAC New rear upper ground floor extension, new garage, new hard landscaping, removal of existing lean-to conservatory and amendments to existing fenestration.
<u>Development Management</u> Status: GTD Date:01/07/2008	Application:08/T0295/TCA T1 - Tulip tree - Removal T2 - Star Magnolia - Relcation T3 - Witch Hazel - Relocation
<u>Development Management</u> Status: GTD Date:27/03/2009	Application:09/T0106/TCA T2 - Cypress - Fell to ground T3 - Laurel - Shorten lateral branches adj. to Yew y 15% to contain
<u>Development Management</u> Status: RNO Date:07/08/2014	Application:14/T0532/TCA Front - Eucalyptus - reduce crown back to most recent previous reduction points (approx 1-1.5m) & thin as part of regular pruning regime to maintain sixe Willow Leaf Pear - fell as re-landscaping Rear of property - Tulip tree - fell to ground level as in too close proximity to house Leylandii - fell to 1 ft stump as poor form and condition Yew - reduce spread by 30-40% (approx 2-3m) & ensure no overhang to neighbours (for containment) Cherry Laurel - reduce spread by 20-30% (approx 2m) to shape & reduce spread over garden ensuring no overhang to neighbours (for containment)
<u>Development Management</u> Status: GTD Date:15/09/2015	Application:15/2862/HOT Demolition of existing Conservatory to rear and construction of Single Storey

rear/side extension at lower ground floor level. Single Storey extension to rear at ground floor level and reconstruction of existing Verandah. Demolition of existing side Garage and construction of new Garage to side.

Development Management

Status: RNO

Date:26/05/2017

Application:17/T0241/TCA

T1 - Eucalyptus - Fell to ground level and grind down stump T2 -

Leylandii/Thuja - Fell to ground level and grind down stump T3 - Yew - Fell

to ground level T4 - Prunus - Crown reduce by 40-60%

Development Management

Status: GTD

Date:20/09/2018

Application:18/2274/HOT

6Proposed single-storey side/rear extension with new access steps to rear.

Development Management

Status: GTD

Date:12/08/2019

Application:18/2274/DD01

Details pursuant to condition U49547 - Tree Planting Scheme of application 18/2274/HOT.

Development Management

Status: WDN

Date:22/03/2024

Application:24/0653/HOT

Drop kerb with crossover required to existing drive.

Development Management

Status: PCO

Date:

Application:24/1443/HOT

Retention of low front garden wall. Proposed raising in height of 1No. existing pier. Creation of new 3m wide vehicle crossover to provide access to two new parking space with associated landscaping (retrospective application)(amended description).

Development Management

Status: PCO

Date:

Application:24/1619/HOT

Rebuilding of front garden wall and pier and creation of new 2.5m vehicle crossover to provide access to one parking space with associated landscaping (corrected description).

Building Control

Deposit Date: 03.04.2014

Reference: 14/0724/BN

Insulate and prepare existing internal loft structure for habitation

Building Control

Deposit Date: 20.11.2015

Reference: 15/NIC02935/NICEIC

Install a replacement consumer unit

Building Control

Deposit Date: 29.07.2016

Reference: 16/1694/BN

Rear extension to kitchen and verandah at upper ground floor. WC/shower and utility to existing rear lower ground floor

Reference: 16/1694/BN

Building Control

Deposit Date: 07.11.2016

Reference: 16/NAP00345/NAPIT

Install one or more new circuits Circuit alteration or addition in a special location

Reference: 16/NAP00345/NAPIT

Building Control

Deposit Date: 14.05.2018

Reference: 18/NAP00143/NAPIT

Install one or more new circuits

Building Control

Deposit Date: 11.04.2019

Reference: 19/0599/IN

Single storey side/rear extension at ground floor level (replacing a conservatory); existing residential property

Reference: 19/0599/IN

Building Control

Deposit Date: 06.10.2021

Reference: 21/FEN01451/FENSA

Install replacement windows in a dwelling

Building Control

Deposit Date: 25.03.2024

Reference: 24/NIC00828/NICEIC

Install one or more new circuits

Enforcement

Opened Date: 14.06.2024

Reference: 24/0290/EN/UBW

Enforcement Enquiry

Application Number	24/1619/HOT
Address	18 Church Grove Hampton Wick Kingston Upon Thames KT1 4AL
Proposal	Rebuilding of front garden wall and pier and creation of new 2.5m vehicle crossover to provide access to one parking space with associated landscaping (corrected description).
Contact Officer	GNI
Target Determination Date	21.08.24

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 site contains a two-storey semi-detached dwelling with half-basement level, and a rear conservatory. The dwelling forms part of a semi-detached pair of early to mid-Victorian Italianate villas of stock brick with stucco dressings overlooking Bushy Park. The site fronts the north-western side of Church Grove, with allotment gardens opposite the site.

The application site is situated within Hampton Wick Village and is designated as:

Archaeological Priority (Site: Richmond APA 2.20: Hampton Wick - Archaeological Priority Area - Tier II)
Area Susceptible To Groundwater Flood - Environment Agency (Superficial Deposits Flooding - >= 50% <75% - SSA Pool ID: 305)
Article 4 Direction Basements (Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018)
Building of Townscape Merit (Site: 18 Church Grove Kingston Upon Thames Surrey KT1 4AL)
Community Infrastructure Levy Band (Low)
Conservation Area (CA18 Hampton Wick)
Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency (RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 986)
Surface Water Flooding (Area Less Susceptible to) - Environment Agency ()
Village (Hampton Wick Village)
Village Character Area (Hampton Wick - Area 11 & Conservation Area 18 Hampton Wick & Teddington Village Planning Guidance Page 43 CHARAREA11/11/01)
Ward (Hampton Wick Ward)



Fig 1. Site prior to / after the removal of the front boundary wall

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises rebuilding of a front garden wall and pier which have been removed without planning permission and the creation of a new 2.5m vehicle crossover to provide access to one parking space with associated landscaping. The current driveway has a cobble finish with permeable filler, a new landscaping strip is proposed along the side boundary with No 20.

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

Development Management

Status: GTD

Date:26/09/1974

Application:74/0452

Demolition of existing sheds and erection of double length car port, the provision of timber screen gates and the formation of a new vehicular access.

Development Management

Status: Under Assessment

Application:24/1443/HOT

Retention of low front garden wall. Proposed raising in height of 1No. existing pier. Creation of new 3m wide vehicle crossover to provide access to two new parking spaces with associated landscaping (retrospective application)(amended description).

The description of development was updated with agreement of the applicant on 24.07.24 to more accurately reflect the proposed works.

Amended plans were received on 27.07.24 which corrected errors in the plans and included accurate dimensions. These plans were not required to be renotified as the proposed works were unchanged.

4. CONSULTATIONS CARRIED OUT

The neighbours notified of this application are listed above.

No letters of representation were received.

Cllr Brown has confirmed that he doesn't consider the single car crossover at all contentious.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

4. Decision-making

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- 9. Promoting sustainable transport
- 12. Achieving well-designed places
- 13. Protecting Green Belt land
- 14. Meeting the challenge of climate change, flooding and coastal change
- 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 Non-Designated Heritage Assets	LP4	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No
Impact on Metropolitan Open Land	LP13	Yes	No
Impact on Trees, Woodland and Landscape	LP16	Yes	No
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	No
Parking Standards and Servicing	LP45	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

Non-designated heritage assets	30	Yes	No
Green Belt, Metropolitan Open Land and Local Green Space	35	Yes	No
Trees, Woodland and Landscape	42	Yes	No
Amenity and living conditions	46	Yes	No
Sustainable travel choices, Vehicular Parking, Cycle Parking, Servicing and Construction Logistics Management	47, 48	Yes	No

Supplementary Planning Documents

Buildings of Townscape Merit
Design Quality
House Extension and External Alterations
Transport
Residential Development Standards
Village Plan – Hampton Wick

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:

Community Infrastructure Levy
Hampton Wick (No.18) Conservation Area Statement
Hampton Wick (No.18) Conservation Area Study
Strategic Flood Risk Assessment 2021

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 Metropolitan Open Land
- iii Impact on neighbour amenity
- iv Transport and parking
- v Trees
- vi Biodiversity
- vii Archaeology
- viii Flood Risk
- ix Fire Safety

i Design and impact on heritage assets

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'.

Paragraph 209 of the NPPF states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

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 states the Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. 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 significance (including the settings) of the borough's designated heritage assets, encompassing Conservation Areas, listed buildings, Scheduled Monuments as well as the Registered Historic Parks and Gardens, will be conserved and enhanced

Policy LP4 seeks to preserve and where possible enhance the significance, character and setting of non-designated heritage assets, including Buildings of Townscape merit.

The Transport SPD states that the general aim of any design for off street parking in gardens, where it is acceptable and approved, should be to maintain as much sense of enclosure as is practical and safe through the retention, where possible, of existing walls, fences, railings or hedging, the minimization of hard surfacing and the provision of gates and generous planting. If this can be achieved, the appearance and character of the street will be maintained, and the negative visual impact of additional hard surfaces will be diminished.

The application includes works to rebuild the front garden wall and pier which were removed without planning consent in 2024. These works will reinstate the previous site arrangement. In addition, a new 2.5m wide vehicle crossover and dropped kerb are proposed to allow vehicular access to an existing car space within the site. The site is designated as a Building of Townscape Merit (BTM), located in the Hampton Wick no.18 Conservation Area (CA).

The application was reviewed by Council's Conservation Officer who advised the proposed works to reinstate the front boundary wall and pillar are welcomed and would be a positive heritage outcome for the BTM and CA. It was recommended that the materials for the front boundary wall should match the rest of the existing front boundary wall. An appropriate condition is recommended for inclusion on the consent. Council's Conservation Officer advised there are no objections to the proposed single vehicle crossover. The proposed reinstatement of the wall is in general compliance with the requirements of the Transport SPD.

There is a grade II listed 'Brick Boundary Wall' (83/00028/II) opposite the site forming the boundary to the start of Bushy Park. The proposed works will not impact the setting of this listed wall.

Given the above, the proposed works are considered to improve and enhance the existing site condition, street scene, setting of the BTM and the appearance and character of the conservation area. This application is compliant with policies LP1, LP3 and LP4 of the Local Plan, the Richmond Publication (Regulation 19 version), The Transport SPD, the Planning (Listed Buildings and Conservation Areas) Act 1990 and also conforms to paragraphs 205, 208 and 209 of the NPPF (2023)

ii Metropolitan Open Land

LP 13 states that the borough's Green Belt and Metropolitan Open Land will be protected and retained in predominately open use. Inappropriate development will be refused unless 'very special circumstances' can be demonstrated that clearly outweigh the harm to the Green Belt or Metropolitan Open Land.

When considering developments on sites outside Green Belt or Metropolitan Open Land, any possible visual impacts on the character and openness of the Green Belt or Metropolitan Open Land will be taken into
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account.

Bushy Park (Garden Allotments) is located opposite the site (behind the Grade II listed Brick Boundary Wall) on the other side of Church Grove and is designated as designated Metropolitan Open Land. Due to the scope and location of the proposed works, the proposal will not result in visual impacts which impact the character and openness of the nearby Metropolitan Open Land. Accordingly, the application is consistent with paragraphs 142-156 of the NPPF, the London Plan and LP 13.

iii 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.

Due to the siting, scale and nature of the proposed works, it is considered that the current application would not cause unreasonable harm to neighbouring amenities.

Given the above, the application is considered consistent with the aims and objectives of policy LP8 Richmond Local Plan (2018), LP46 and of the Richmond Publication Local Plan (Regulation 19 version) and the SPD relating to House Extensions and External Alterations.

iv Transport and parking

LP 45 states that the Council will require new development to make provision for the accommodation of vehicles in order to provide for the needs of the development while minimising the impact of car based travel including on the operation of the road network and local environment, and ensuring making the best use of land”.

The Transport SPD 2020 states that for classified roads within the borough, a vehicle crossover will only be approved if it can be demonstrated that a vehicle can enter and leave the site in forward gear. This is because classified roads are heavily trafficked, support cycle and bus routes and therefore are also prone to heavy pedestrian traffic. Turning on site will avoid vehicles being reversed onto these busy roads, avoiding a road safety hazard. While each application will be looked at on its own merits, a garden turning area of 8.0 x 10.0m is the minimum size for single dwellings and it will be expected that as much landscaping as practically possible will be retained.

5.6 The Transport SPD states that visibility splays must be provided at the back of footway so that drivers can see pedestrians, particularly small children approaching on the footway.

5.11 Approval, where it is given, will be for a single crossover at a width of 2.4m. This will standardise the size of accesses, avoid large lengths of footway being made over to crossovers, minimise their visual impact on the street-scene, minimise loss of landscaping in the garden and retain as much kerbside space for general community parking as possible

5.24. Approval for a vehicle crossover will not be given where its construction requires a part of the grass verge (the verge being 1.0m in width or more), to be removed. The removal of part of the verge will have an adverse effect on the street scene and visual amenity of the road.

On 13 November 2023, the Transport and Air Quality Committee approved amendments to the Council's vehicle (pavement) crossover application criteria. This encompassed changes to the requirements for vehicle crossovers on classified roads, where classified roads with speed limits of 20m/h or less do not require the garden turning area of 8.0 x 10.0m. This new application criteria came into effect on 01.04.24. The Environment, Sustainability, Sports and Culture Committee on 16 January 2024 confirmed these changes along with a draft revised Transport SPD 2024 which will be put forward for public consultation in due course including an appendix contains these changes pertaining to front garden parking and crossover policy and design.

The application includes a new 2.5m wide vehicle crossover and dropped kerb, to accommodate proper vehicle access to an existing car space within the site. This existing car space was approved by application 74/0452. Whilst the car space was constructed within the site, the crossover/dropped kerb were not constructed. The existing single car space has been established as being in use following the approval of application 74/0452. The access is on the eastern side of Church Grove (B- classified road) to the proposed development. The site has a PTAL of a 3 and is in a Controlled Parking Zone (CPZ) "X - Hampton Wick."

The subject application was reviewed by Council's Transport Officer and Highways Engineer who advised that based on the changes approved by the relevant committees' and due to an assessment of the merits of the application they have no objection to the proposed works. The proposed single crossover whilst 0.1m greater than the recommended, generally meets the dimensional requirements in the SPD and provides proper access to the existing approved car space. The 2.5m wide crossover in the proposed location allows a single vehicle to enter and exit the site at 90 degrees which is consistent with the crossover application criteria.

The existing verge on Church Grove is approximately 2m deep. It is understood that the area of verge which is currently of a paved nature used for pedestrian access and aligned with the front gate of the property will be removed to ensure any loss of verge is kept to a minimum.

The crossover application criteria generally require a minimum of 10% landscaping, permeable paving and drainage within the site. The proposed development will reinstate the original wall and pillar which is a positive heritage outcome and will incorporate a new small stretch of planting along the northern boundary of the site. Whilst this does not achieve the 10%, given that the application will result in a welcomed heritage outcome, the shortfall of landscaping is considered to be acceptable in this instance.

Based on the above, the proposal is considered to be in line with the London Plan, Policy LP 45 of the Richmond Local Plan (2018), LP 48 of the Richmond Publication Local Plan (Regulation 19 version), the Transport SPD and Crossover Criteria.

v 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 Transport SPD sets out that existing street trees are an asset and the provision of trees can significantly enhance the street-scene. With such a large number of street trees within the borough, a number of crossover applications are refused on the grounds that to construct the crossover would be detrimental to the environment, particularly where a tree will require felling or be damaged in the view of the Arboricultural Officer.

5.24. Trees can often suffer if the roots are cut which may lead to damage and loss of the structural integrity of the tree, as well as adversely affecting the environment if it is removed. If roots greater than 25 mm in diameter are encountered when constructing the crossover then the Council's Arboricultural Officer may order the work to stop and the footpath replaced. The crossover would then be abandoned and any payments to the Council by the applicant in respect of the actual construction costs (not processing fee) will be refunded. Cutting of roots greater than 25mm can lead to premature death. If roots are left in situ, then there is the likelihood that the root will continue to grow and cause damage to the crossover leading to a hazard for pedestrians.

There is a publicly owned street tree (lime tree) on the north-western side of the verge on Church Grove. As the site is located within the Hampton Wick No. 18 Conservation Area, this tree benefits from Statutory Protection. The proposed 2.5m wide crossover will be within the vicinity of this verge.

A site visit was carried out by Planning, during which the subject tree circumference was measured to be 51cm at approximately 1.5m above ground level. The proposed works will be within four times the circumference this tree with an approximate 55cm encroachment which is not strictly compliant with SPD guidance. However, this is unlikely to constitute greater than a 20% incursion into the root protection area of the tree and as such is considered acceptable in the circumstances.

Council's Tree Officer has objected on the grounds that insufficient information has been provided to assert this tree will be appropriately protected and remain in good health. The proposed crossover/kerb is likely to require the removal of rooting medium within the root protection area of the tree.

In this instance, the proposed 2.5m crossover has been aligned to the existing approved car space within the site to ensure safe vehicular access to and from the site. It has been distanced from the tree as far as possible to still allow for safe vehicular access to and from the site at 90 degrees. Whilst a crossover in this location would not ordinarily be supported due to the proximity of this tree, it is noted that the current tree was planted in this location after the approval of the car space within the site. It is also be noted that the works will be carried out by Council who will mitigate the impact to the tree as far as possible. Given these considerations, on balance the proposed crossover is considered acceptable in this location and a deviation to the objectives of LP 16 is tolerable in this instance.

vi 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.

vii Archaeology

Policy LP 7 states the Council will seek to protect, enhance and promote its archaeological heritage (both above and below ground), and will encourage its interpretation and presentation to the public.

The site is a designated Archaeological Priority Area – tier II. Due to the scope of the proposed works and its siting, it is not considered that the proposal would cause harm to the Archaeological Priority Area and therefore the proposal would be in line with Policy LP7. An appropriate informative is recommended.

viii Flood Risk

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.

As the proposed development will reinstate the previous boundary wall, the proposed works are considered unlikely to give rise to increased flooding impacts. An appropriate informative is included requiring drainage within the site.

ix Fire Safety

A Reasonable Exception Statement was received in support of the application. A condition will be 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. This permission is NOT a consent under the Building Regulations for which a separate application should be made. 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

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):GNI..... Dated:20.08.24.....

I agree the recommendation: CTA

Team Leader/Head of Development Management/Principal Planner

Dated:30/09/2024.....

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: