

**Application reference: 24/1586/FUL**  
**HAMPTON WICK AND SOUTH TEDDINGTON WARD**

Date application received	Date made valid	Target report date	8 Week date
24.06.2024	12.07.2024	06.09.2024	06.09.2024

**Site:**

59 - 61 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DG

**Proposal:**

Plant and shopfront alterations.

**APPLICANT NAME**

c/o Agent  
WSP House  
70 Chancery Lane  
London  
WC2A 1AF  
United Kingdom

**AGENT NAME**

Tarleen Kaur  
WSP House  
70 Chancery Lane  
London  
WC2A 1AF

**DC Site Notice:** printed on 15.07.2024 and posted on 26.07.2024 and due to expire on 16.08.2024

**Consultations:**

**Internal/External:**

**Consultee**

14D Urban D  
LBRuT Non-Commercial Environmental Health Noise Issues

**Expiry Date**

29.07.2024  
29.07.2024

**Neighbours:**

78A High Street, Hampton Wick, Kingston Upon Thames, KT1 4DQ, - 15.07.2024  
82 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DQ, - 15.07.2024  
80 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DQ, - 15.07.2024  
78 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DQ, - 15.07.2024  
76 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DQ, - 15.07.2024  
8 School Lane, Kingston Upon Thames, KT1 4DF, - 15.07.2024  
12 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
10 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
8 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
6 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
4 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
2 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
11 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
9 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
7 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
5 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
3 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
1 Jubilee Close, Hampton Wick, Kingston Upon Thames, KT1 4DH, - 15.07.2024  
Flat 4, 59 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DG, - 01.08.2024  
Flat 3, 59 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DG, - 15.07.2024  
Flat 2, 59 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DG, - 15.07.2024  
Flat 1, 59 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DG, - 15.07.2024  
First Floor, Jubilee Court, 63A High Street, Hampton Wick, Kingston Upon Thames, KT1 4DG, - 15.07.2024  
Basement, Jubilee Court, 63A High Street, Hampton Wick, Kingston Upon Thames, KT1 4DG, - 15.07.2024  
Flat 4, 63 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DG, - 15.07.2024

Flat 3,63 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DG, - 15.07.2024  
 Flat 2,63 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DG, - 15.07.2024  
 Flat 1,63 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DG, - 15.07.2024  
 63 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DG, - 15.07.2024  
 Jubilee Court,63A High Street,Hampton Wick,Kingston Upon Thames,KT1 4DG, - 15.07.2024  
 55 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DG, - 15.07.2024  
 57 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DG, - 15.07.2024

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

Development Management

Status: GTD Application:58/0215  
 Date:19/05/1958 Alterations to No. 59 High Street to form addition to Public House and provision of ladies lavatory and to provide living accommodation for Licenses.

Development Management

Status: REF Application:14/3244/FUL  
 Date:20/05/2015 Alteration of existing ground floor, rationalisation of outbuildings and rear extension to provide new A1 (retail) use. Provision of separate street access to residential upper floors with extensions at side and rear and addition of a third floor to provide a total of 9 self contained residential units.

Development Management

Status: GTD Application:16/0823/FUL  
 Date:01/06/2016 Single Storey Rear Extension To Bar Area including demolition of delapidated outbuilding

Development Management

Status: REF Application:16/2381/FUL  
 Date:04/10/2016 Rear extension to first and second floors and internal reconfiguration of existing ancillary accommodation to create six self-contained flats. Provision of separate street access to flats at front of property.

Development Management

Status: GTD Application:16/0823/DD01  
 Date:22/11/2016 Details pursuant to conditions U06143 - Dustbin enclosure required, U06140 - Cycle parking, U06141 - Flood Risk Detail & U06142 - Construction Method Statement of planning permission 16/0823/FUL.

Development Management

Status: NONDET Application:16/4058/FUL  
 Date:11/05/2018 Internal configuration of existing ancillary accommodation to create 4 self-contained flats; removal of external first floor fire escape, removal, repositioning and replacement of rear windows at first and second floor level including (including the installation one new window at each level totalling 5); replacement rooftiles to the front and rear roofslope; removal of defective chimney to the rear and raising and pitching of the front roofslope (retrospective).

Development Management

Status: WON Application:18/1330/FUL  
 Date:23/07/2019 Internal reconfiguration of existing ancillary accommodation to create 4 self-contained flats on first and second floors. Removal of external first floor fire escape, renewal of double hung sash windows and provision of a single door to give street access to upper floors. Works to rear elevation consisting of removal of asbestos cement sheet roofing and replacement with natural slates, removal of defective chimney stack, removal of incorrect facing brickwork and rebuilding and repointing elevation. Replacement of plastic windows with double hung sash windows, including adjustment of window and door openings, new fascia and rainwater goods. Associated cycle and refuse stores.

Development Management

Status: WDN Application:16/4058/DD01  
 Date:29/08/2018 Details pursuant to conditions Refuse and Waste & Reduction in Carbon Dioxide Emissions of planning permission 16/4058/FUL (Allowed on Appeal).

Development Management

Status: PCO Application:24/1586/FUL  
 Date: Plant and shopfront alterations.

Appeal

Validation Date: 24.09.2015	Alteration of existing ground floor, rationalisation of outbuildings and rear extension to provide new A1 (retail) use. Provision of separate street access to residential upper floors with extensions at side and rear and addition of a third floor to provide a total of 9 self contained residential units.
Reference: 15/0157/AP/REF	
<u>Appeal</u>	
Validation Date: 07.10.2016	Rear extension to first and second floors and internal reconfiguration of existing ancillary accommodation to create six self-contained flats. Provision of separate street access to flats at front of property.
Reference: 16/0144/AP/REF	
<u>Appeal</u>	
Validation Date: 09.05.2018	Internal reconfiguration of existing ancillary accommodation to create 4 self-contained flats. Removal of external first floor fire escape, renewal of double hung sash windows and provision of a single door to give street access to upper floors. Works to rear elevation consisting of removal of asbestos cement sheet roofing and replacement with natural slates, removal of defective chimney stack, removal of incorrect facing brickwork and rebuilding and repointing elevation. Replacement of plastic windows with double hung sash windows, including adjustment of window and door openings, new fascia and rainwater goods.
Reference: 18/0062/AP/NON	<b>Appeal Allowed</b>
<u>Building Control</u>	
Deposit Date: 13.06.2016	Single storey rear extension and alterations to the ground floor (shell only).
Reference: 16/1266/FP	
<u>Building Control</u>	
Deposit Date: 06.07.2016	Single storey rear extension and alterations to the ground floor (shell only).
Reference: 16/1266/FP/1	
<u>Building Control</u>	
Deposit Date: 21.04.2017	Alterations to existing flats on first and second floors
Reference: 17/0842/FP	
<u>Building Control</u>	
Deposit Date: 04.05.2017	Alterations to existing flats on first and second floors
Reference: 17/0842/FP/1	
<u>Enforcement</u>	
Opened Date: 22.05.2017	Enforcement Enquiry
Reference: 17/0255/EN/UBW	

<b>Application Number</b>	<b>24/1586/FUL</b>
<b>Address</b>	59 - 61 High Street Hampton Wick Kingston Upon Thames KT1 4DG
<b>Proposal</b>	Plant and shopfront alterations.
<b>Contact Officer</b>	GNI

## 1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

Before preparing this summary report the planning officer has considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

By indicating that the development proposal complies with relevant Local Plan Policies, the planning officer is taking into account the information submitted with the application, any previous relevant applications any comments received in connection with the application and any other case specific considerations which are material to the decision.

## 2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The site contains a three-storey building with ground floor retail and residential flats above. At the rear of the property is a communal amenity space.

51-61 High Street is a mid-19th century building within the Hampton Wick Conservation Area and is designated as a Building of Townscape Merit (BTM).

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 of Mixed Use (Hampton Wick)
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: 57 High Street Hampton Wick Middlesex KT1 4DG )
Building of Townscape Merit (Site: 59 - 61 High Street Hampton Wick Middlesex KT1 )
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: 875)
Surface Water Flooding (Area Less Susceptible to) - Environment Agency ( )
Surface Water Flooding (Area Susceptible to) - Environment Agency ( )
Take Away Management Zone (Take Away Management Zone)
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)

## 3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises plant and shopfront alterations. The shopfront alterations primarily include providing level access, and alterations to accommodate this. The proposed plant is at the rear of the site and will be enclosed by timber fencing.

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

### Development Management

Status: REF

Application:16/2381/FUL

Date:04/10/2016

Rear extension to first and second floors and internal reconfiguration of existing ancillary accommodation to create six self-contained flats. Provision of separate street access to flats at front of property.

---

Appeal

Validation Date: 09.05.2018

Internal reconfiguration of existing ancillary accommodation to create 4 self-contained flats. Removal of external first floor fire escape, renewal of double hung sash windows and provision of a single door to give street access to upper floors. Works to rear elevation consisting of removal of asbestos cement sheet roofing and replacement with natural slates, removal of defective chimney stack, removal of incorrect facing brickwork and rebuilding and repointing elevation. Replacement of plastic windows with double hung sash windows, including adjustment of window and door openings, new fascia and rainwater goods.

Reference: 18/0062/AP/NON

**Appeal Allowed**

---

#### **4. CONSULTATIONS CARRIED OUT**

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

One letter of observation/objection was received and the comments can be summarised as follows:

- Noise Impacts
  - 8 School Lane was not considered in the Noise Impact Assessment
  - Proximity of property (windows and doors) plant proposed is quite substantial
- Fence
  - The fence segregating the plant from the community garden will be affixed to the fence at the back of our garden.
  - The gate is structurally proposed to be affixed to the fence at the back of our garden which was installed at our expense.
  - Keen to confirm that no damage to the fence between our properties will be caused as a result of the use of this gate, for example should the gate be left open and swing in the wind causing damage to the fence.
  - Fence has already been subject to damage from actions by use of community garden
  - Request the gate be hinged on the applicant's proposed hit and miss enclosure side as opposed to our fence separating our properties to minimise and hopefully avoid any damage.
  - Could the enclosure be extended to cover above the plant area in order to minimise visual impact?

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

An amended acoustic report which includes no. 8 School Lane was submitted by the applicant. In addition, information on the existing fence arrangement and amended existing and proposed ground floor plans were also received. The additional information received did not result in increased amenity impacts and consequently was not required to be renotified to neighbours.

It is highlighted that only material planning considerations can be taken into account in the assessment of planning applications.

#### **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
- 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:

SD6 Town Centres and high streets

D4 Delivering good design

D5 Inclusive Design

D12 Fire Safety

D14 Noise

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, LP39	Yes	<del>No</del>
Impact on Designated Heritage Assets	LP3	Yes	<del>No</del>
Impact on Non-Designated Heritage Assets	LP4	Yes	<del>No</del>
Impact on Amenity and Living Conditions	LP8	Yes	<del>No</del>
Local Environmental Impacts	LP 10	Yes	<del>No</del>
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	<del>No</del>
Retail Frontages	LP25, LP26	Yes	<del>No</del>

These policies can be found at

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

### Richmond Publication Local Plan (Regulation 19 version)

The Richmond Publication Version Local Plan (Regulation 19 version) was published on 9 June 2023 for public consultation which ended on 24 July 2023.

The Publication Version Local Plan, together with all the representations received during the representation period, the plan and its supporting documents were submitted to the Secretary of State for examination on 19 January 2024. The submission documents do not form part of the statutory development plan for the Borough, however, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the Publication Plan.

The Publication Version Local Plan, including its evidence base, are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below where it is relevant to the application.

Note that it was agreed by Full Council on 27 April, when the Publication Plan was approved, that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95 will continue to be used; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement; all other aspects and requirements of these policies will apply.

Issue	Publication Local Plan Policy	Compliance	
Flood risk and sustainable drainage	8	Yes	<del>No</del>
Shops and services serving essential needs	20	Yes	<del>No</del>
Local character and design quality	28	Yes	<del>No</del>
Designated heritage assets	29	Yes	<del>No</del>
Non-designated heritage assets	30	Yes	<del>No</del>
Amenity and living conditions	46	Yes	<del>No</del>

## Supplementary Planning Documents

Buildings of Townscape Merit  
Development Control for Noise Generating and Noise Sensitive Development  
House Extension and External Alterations  
Residential Development Standards  
Shopfronts  
Village Plan – Hampton Wick

These policies can be found at:

[https://www.richmond.gov.uk/services/planning/planning\\_policy/local\\_plan/supplementary\\_planning\\_documents\\_and\\_guidance](https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance)

## Other Local Strategies or Publications

Other strategies or publications material to the proposal are:

Community Infrastructure Levy  
Hampton Wick Conservation Area Statement  
Hampton Wick 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 Impact on neighbour amenity
- iii Biodiversity
- iv Flood Risk
- v Fire Safety

### Issue 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 207 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 208 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 seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area.*

*Policy LP3 requires development to conserve the historic environment of the borough, and where possible make a 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.*

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

51-61 High Street is a mid-19th century building within the Hampton Wick Conservation Area and is designated as a Building of Townscape Merit (BTM). It is three storeys fronted in gault brick, with stock brick sides and rear, under a slate roof screened by a parapet. The upper floors retain the fine detailing and form of the original building with prominent pilasters, cornices, and brackets surrounding the first-floor windows and deep moulded reveals to the second-floor windows. A prominent cornice tops the front parapet. The shopfront was most likely added in the mid-20th century, in association with the building's former use as the Rose and Crown public house. This was altered to its present form in the early 21st century when the building ceased to be a public house. The stone pilasters have been retained but the glazing and timber shopfront are wholly modern in design and materials. No.59-61 is an interesting example of a building evolving through multiple uses as a house, public house, and shop. It is also of historic and communal interest as a former public house. Alongside these, its architectural style, surviving original features and prominent position in the streetscape further contribute to its significance as a BTM.

This application comprises alterations to the shopfront in association with providing level access to the shop, and new plant in a timber enclosure to the rear.

The application was reviewed by Council's Urban Design and Heritage officer who advised they have no objections in regard to the proposed works. As noted above, the shopfront has been heavily altered from its original form with the insertion of the modern glazing and frames. The proposed works would remove two of the panels from the right-hand side of the shopfront and replace with a sliding door matching the existing design of the shopfront. The existing doors would be retained and locked shut. This alteration would result in a modest addition to the appearance of the shopfront and would be an acceptable compromise between improving accessibility and retaining the overall appearance of the shopfront and the building.

The proposed new plant would be confined to the rear of the building in a timber enclosure. It would not be easily visible from public vantage points and would have a neutral impact on the character and significance of the BTM and the character and appearance of the Conservation Area.

A sufficient amount of communal rear amenity space will be retained by the proposal for the existing flats on the upper floors of the site. Due to the location of the proposed new plant, corresponding timber enclosure which obscures the plant from clear views and the findings of the Noise Impact Assessment discussed in greater detail below, it was not considered necessary to request a roof be included to completely enclose the plant area.

The proposed works are considered to preserve the character and significance of no.59-61 as a BTM and the character and appearance of the Hampton Wick Conservation Area. This application is in accordance with policies LP1, LP3 and LP4. It also conforms to paragraphs 205 and 209 of the NPPF (2023).

## **Issue 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.*

*Policy LP10 states that the Council will seek to ensure that local environmental impacts of all development proposal do not lead to detrimental impacts on the health, safety and the amenity of existing and new users or occupiers of the development site or surrounding land. These potential impacts can include, but are not limited to air pollution, noise and vibration, light pollution, odours and fumes, solar glare and solar dazzle as well as land contamination. Developers should follow any guidance provided by the Council on local environmental impacts and pollution as well as on noise generating and noise sensitive development. Where necessary, the Council will set planning conditions to reduce local environmental impacts on adjacent land*



uses to acceptable levels.

The Council encourages good acoustic design to ensure occupiers of new and existing noise sensitive buildings are protected. The following will be required where necessary:

1. A noise assessment of any new plant and equipment and its impact upon both receptors and the general background noise levels;
2. Mitigation measures where noise needs to be controlled and managed;
3. Time limited and restrictions for activities where noise cannot be sufficiently mitigated;
4. Promotion of good acoustic design and use of new technologies;
5. Measures to protect the occupiers of new developments from existing sources

The proposed development includes a new plant area at the rear of the site which encompasses a refrigeration gas cooler and three new AC condensers. The plant area is within a timber fenced area with a gate. A revised Noise Impact Assessment was provided by the applicant in response to a submission received during the consultation period and now includes a nearby residential receiver (8 School Lane) in the assessment.

The proposed development and Noise Impact Assessment were reviewed by Council's Environmental Health Officer in tandem with the plans. The Environmental Health Officer advised the proposed development including is acceptable subject the following condition which has been included in the recommended conditions of consent.

*The plant hereby permitted shall be installed in strict accordance with the details provided in the acoustic report submitted by Noise Solutions Ltd reference 92219 Revision 06 dated 1<sup>st</sup> August 2024. The plant shall thereafter be retained as approved. The plant shall not be used unless the equipment is installed in compliance with these details.*

*A commissioning acoustic test report shall be undertaken within two weeks of the mechanical services installation in order to demonstrate the limiting noise levels detailed in the above report have been achieved. The results of the tests shall be submitted to and approved in writing by the Local Planning Authority.*

Given the above, the application is considered capable of satisfying Richmond Local Plan (2018) Policy LP8 and LP10, LP46 and LP53 of the Richmond Publication Local Plan (Regulation 19 version) and the SPD relating to House Extensions and External Alterations and the Development Control for Noise Generating and Noise Sensitive Development.

### **Issue iii - Biodiversity**

Biodiversity net gain became mandatory for minor developments on applications made from 2<sup>nd</sup> April 2024. This application is exempt from mandatory biodiversity net gain on the grounds that:

- The development impacts habitat of an area below a 'de minimis' threshold of 25m<sup>2</sup> or 5m of linear habitat such as hedgerows, and does not impact an onsite priority habitat

### **Issue iv - 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.*

A Flood Risk Assessment was provided with the application which addresses sustainable drainage measures. Given the minor scale of the proposed works and the information contained in the Flood Risk assessment, the proposal is considered acceptable with regard to LP 21 of the adopted Local Plan and LP8 of the Publication Local Plan.

### **Issue v - Fire Safety**

A Fire Safety Statement and Fire Safety Plan drawing were received in support of the application on 15.07.24. A condition is 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. A separate application would have been required to have been made for Building Regulation requirements. Overall, the scheme if acceptable, would have been 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.

Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. For the reasons set out above, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

**Grant planning permission with conditions**

**Recommendation:**

The determination of this application falls within the scope of Officer delegated powers - YES/~~NO~~

**I therefore recommend the following:**

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable  YES\*  NO  
(\*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement  YES\*  NO  
(\*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file)  YES  NO

This application has representations on file  YES  NO

Case Officer (Initials): .....GNI.....

Dated: .....02.09.24.....

**I agree the recommendation: CTA**

Team Leader/Head of Development Management/Principal Planner

Dated: .....05/09/2024.....