

Application reference: 24/2093/HOT
SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
19.08.2024	21.08.2024	16.10.2024	16.10.2024

Site:

103 Sheen Road, Richmond, TW9 1YJ,

Proposal:

The replacement of front windows at ground and first floor from upvc to timber sash windows

APPLICANT NAME

Mr A Kiran
103 Sheen Road
Richmond
TW9 1YJ

AGENT NAME

Mrs Fiona Jones
3 Elizabeth Gardens
Ascot
SL5 9BJ

DC Site Notice: printed on 23.08.2024 and posted on 30.08.2024 and due to expire on 20.09.2024

Consultations:

Internal/External:

Consultee

14D Urban D

Expiry Date

06.09.2024

Neighbours:

Flat C,112 Sheen Road,Richmond,TW9 1UR, - 23.08.2024
Flat B,112 Sheen Road,Richmond,TW9 1UR, - 23.08.2024
Flat A,112 Sheen Road,Richmond,TW9 1UR, - 23.08.2024
Flat,114 Sheen Road,Richmond,TW9 1UR, - 23.08.2024
112 Sheen Road,Richmond,TW9 1UR, - 23.08.2024
Flat,110 Sheen Road,Richmond,TW9 1UR, - 23.08.2024
114 Sheen Road,Richmond,TW9 1UR, - 23.08.2024
51 Worpel Way,Richmond,TW10 6DG, - 23.08.2024
49 Worpel Way,Richmond,TW10 6DG, - 23.08.2024
47 Worpel Way,Richmond,TW10 6DG, - 23.08.2024
105 Sheen Road,Richmond,TW9 1YJ, - 23.08.2024
101 Sheen Road,Richmond,TW9 1YJ, - 23.08.2024
Maisonette First And Second Floor,105 Sheen Road,Richmond,TW9 1YJ, - 23.08.2024
59 Worpel Way,Richmond,TW10 6DG, - 23.08.2024

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

Development Management

Status: PCO

Date:

Application:24/2093/HOT

The replacement of front windows at ground and first floor from upvc to timber sash windows

Appeal

Validation Date: 10.01.2024

Reference: 24/0005/AP/ENF

Appeal against

Building Control

Deposit Date: 03.03.1995 Single storey rear extension & internal alterations
Reference: 95/0014/1/FP

Building Control

Deposit Date: 18.03.2020 Install a gas-fired boiler
Reference: 20/FEN01366/GASAFE

Building Control

Deposit Date: 10.12.2021 Install replacement windows in a dwelling
Reference: 21/FEN01895/FENSA

Building Control

Deposit Date: 10.12.2021 Install replacement door in a dwelling
Reference: 24/FEN02103/FENSA

Building Control

Deposit Date: 10.12.2021 Install replacement door in a dwelling
Reference: 24/FEN02112/FENSA

Building Control

Deposit Date: 10.12.2021 Install replacement door in a dwelling
Reference: 24/FEN02176/FENSA

Building Control

Deposit Date: 10.12.2021 Install replacement door in a dwelling
Reference: 24/FEN02185/FENSA

Enforcement

Opened Date: 20.05.2022 Enforcement Enquiry
Reference: 22/0227/EN/CONSRV

Application Number	24/2093/HOT
Address	103 Sheen Road Richmond TW9 1YJ
Proposal	The replacement of front windows at ground and first floor from upvc to timber sash windows
Contact Officer	Jeremy Maclsaac
Target Determination Date	09/10/2024

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

103 Sheen Road is a late 19th century terraced house within the Sheen Road Richmond Conservation Area. It is two storeys in red brick under a pitched slate roof.

The application site is designated as:

Area Susceptible To Groundwater Flood Environment Agency	- Superficial Deposits Flooding - >= 75% - SSA Pool ID: 146
Article 4 Direction B1 to C3	Restricting B1 To C3 - Sheen Road 01/10/16 / Ref: ART4/CJ/018 / Effective from: 10/08/2016
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Community Infrastructure Levy Band	Higher
Conservation Area	CA31 Sheen Road Richmond
Critical Drainage Area Environment Agency	- Richmond Town Centre and Mortlake [Richmond] / Ref: Group8_004 /
Key Office Area	Sheen Road / Sheen Road, Richmond / Status: Key Office Area / Area: 19189.4
Main Centre Buffer Zone	Richmond Town Centre Boundary Buffer Zone - A residential development or a mixed use scheme within this 400 metre buffer area identified within the Plan does not have to apply the Sequential Test (for Flood Risk) as set out in Local Plan policy LP21.
Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency	RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 28217
Take Away Management Zone	Take Away Management Zone
Throughflow Catchment Area (Throughflow and Groundwater Policy Zone)	Adopted: October 2020 , Contact: Local Plan Team
Village	Richmond and Richmond Hill Village
Village Character Area	Sheen Road - Area 16 & Conservation Area 31 Richmond & Richmond Hill Village Planning Guidance Page 60 CHARAREA06/16/01
Ward	South Richmond Ward

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises the replacement of front windows at ground and first floor from upvc to timber sash windows

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

There is no relevant planning history associated with the site.

4. CONSULTATIONS CARRIED OUT

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

No letters of representation were received.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

- 4. Decision-making
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

These policies can be found at:

<https://www.gov.uk/guidance/national-planning-policy-framework>

London Plan (2021)

The main policies applying to the site are:

- D4 Delivering good design
- D12 Fire Safety
- HC1 Heritage conservation and growth

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan>

Richmond Local Plan (2018)

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1	Yes	No
Impact on Designated Heritage Assets	LP3	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No

These policies can be found at

https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Richmond Publication Local Plan (Regulation 19 version)

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

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

The Publication Version Local Plan, including its evidence base, are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant

policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below where it is relevant to the application.

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

Issue	Publication Plan Policy	Local	Compliance
Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

Design Quality
House Extension and External Alterations
Residential Development Standards

These policies can be found at:

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

Other Local Strategies or Publications

Other strategies or publications material to the proposal are:

Sheen Road Conservation Area Statement
Sheen Road Conservation Area Study

Determining applications in a Conservation Area

In considering whether to grant planning permission with respect to any buildings or other land in a conservation area, Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this context, "preserving", means doing no harm.

To give effect to that duty, decisions of the court have confirmed that for development proposed to be carried out in a conservation area, a decision-maker should accord "considerable importance and weight" to the desirability of preserving or enhancing the character or appearance of the conservation area, when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This creates a strong presumption against granting planning permission where harm to the character or appearance of a conservation area is identified. The presumption can be rebutted by material considerations powerful enough to do so.

In applications where the decision-maker is satisfied that there will be no harm to the character or appearance of a conservation area, the statutory presumption against granting planning permission described above falls away. In such cases the development should be permitted or refused in accordance with the policies of the development plan and other material considerations.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

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

i Design and impact on heritage assets

Policy LP1 of the Local Plan 2018 seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area. Proposals should demonstrate an understanding of the site and its context when considering the design including layout, siting

and access and the compatibility of the works to the neighbouring uses.

Policy LP3 of the Local Plan 2018 covers Designated Heritage Asset and states that proposals should conserve and take opportunity to make positive contribution to the historic environment such as retaining and preserving the original structure, layout, architectural features and materials or reinstatement of heritage assets. Appropriate materials and techniques should be used. There is a requirement to seek to avoid harm or justify for loss and demolition will be resisted. The significance of the asset is taken into consideration when assessing works proposed to a designated heritage asset.

The Councils SPD relating to House Extensions and External Alterations states that the overall shape, size and position of side and rear extensions should not dominate the existing house or its neighbours. It should harmonise with the original appearance, either by integrating with the house or being made to appear as an obvious addition.

103 Sheen Road is a late 19th century terraced house within the Sheen Road Richmond Conservation Area. It is two storeys in red brick under a pitched slate roof. To the front is a bay window with a decorative stone parapet, and recessed entrance door under an open, arched porch. Architectural detailing is restricted to the gault brick detailing above the windows and a single course below the eaves. There is a small dormer to the front roof slope, which also features prominent party walls and shared chimneystacks. At present, the windows to the front elevation comprise unsympathetic uPVC casement units which have been the subject of enforcement action and a dismissed appeal.

No.103 forms part of a wider terrace along the south side of Sheen Road. The built form of the terrace has been retained but there is variation in the painting/rendering of front elevations and the design/materials of windows. Despite the unauthorised windows, no.103 is generally well preserved and makes a positive contribution to the character and appearance of the Conservation Area.

Sheen Road Richmond Conservation Area, the significance of which is defined by the "dominant nineteenth century date and a consistently high quality of townscape" (Conservation Area Study) which reflects the growth of Richmond following the arrival of the railway in 1846.

This application has been submitted to address the enforcement notice and dismissed appeal with regards to the unauthorised uPVC windows.

It is proposed to remove the windows and replace them with double-glazed timber sash windows.

No objections are raised regarding the proposed works. The replacement windows would be timber, with a simple one-over-one glazing pattern. This is appropriate as it reflects the common glazing pattern across the wider terrace. The double-glazed units would be 24mm thick which is considered to be acceptable in this instance given the simple glazing pattern with no glazing bars. I note that the spacers would be white and the trickle vents would be concealed, which also appropriate in order to maintain the traditional appearance of the windows.

Overall, the proposed windows are considered to be acceptable and would preserve the character and appearance of the Sheen Road Conservation Area.

This application is in accordance with policies LP1 and LP3. It also conforms to paragraph 205 of the NPPF (2023).

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 LP8 states that development must protect the amenity and living conditions of existing, adjoining and neighbouring occupants. Design must allow for good daylight standards, avoid overlooking or noise disturbance, avoid visual intrusion, overbearing impacts or harm to the reasonable enjoyment of the uses of buildings and gardens. Harm may arise from various impacts such as noise, air pollution, odours or vibration.

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

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

The property would remain solely in residential use as a result of the proposal. An undue increase in noise or pollution would not occur as a result of the proposal. The proposed scheme is considered acceptable in terms of neighbour amenity.

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

iii Fire Safety

The applicant has submitted a Fire Safety Statement as required under policy D12 of the London Plan (2021).

The applicant is advised that alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made.

iv Biodiversity

Biodiversity net gain became mandatory for minor developments on applications made from 2nd April 2024. This application is exempt from mandatory biodiversity net gain on the grounds that is a householder application.

7. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

On initial assessment this development is not considered liable for the Mayoral or Richmond CIL however this is subject to confirmation by the CIL Administration Team

8. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application process. In making this recommendation consideration has been had to the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in Chapter 16 of the NPPF.

Grant planning permission

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

Recommendation:

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

I therefore recommend the following:

- | | | |
|----|----------------------|-------------------------------------|
| 1. | REFUSAL | <input type="checkbox"/> |
| 2. | PERMISSION | <input checked="" type="checkbox"/> |
| 3. | FORWARD TO COMMITTEE | <input type="checkbox"/> |

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 YES NO

(which are not on the file)

This application has representations on file

YES

NO

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

Dated:09.10.2024.....

I agree the recommendation:



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

Dated: ...10/10/2024.....

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: