

Application reference: 24/2387/HOT NORTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
23.09.2024	30.09.2024	25.11.2024	25.11.2024

Site:

83 Lower Mortlake Road, Richmond, TW9 2LW,

Proposal:

Demolish existing rear extension and erect single-storey rear/side extension.

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

APPLICANT NAME

Mr Miles Black
83 Lower Mortlake Road
Richmond
TW9 2LW

AGENT NAME

Mr Michael Zalucki
22 Micklefield Way
Borehamwood
WD6 4LG

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

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

18 Selwyn Avenue, Richmond, TW9 2HA, - 30.09.2024
85 Lower Mortlake Road, Richmond, TW9 2LW, - 30.09.2024
81 Lower Mortlake Road, Richmond, TW9 2LW, -

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

Development Management

Status: REF

Date: 19/09/2024

Application: 24/2325/PS192

Demolish existing rear extension and erect a new single storey rear extension.

Development Management

Status: PDE

Date:

Application: 24/2387/HOT

Demolish existing rear extension and erect single-storey rear/side extension.

Building Control

Deposit Date: 16.11.1993

New roof covering

Reference: 93/1309/BN

Building Control

Deposit Date: 28.08.2017

Install a gas-fired boiler

Reference: 17/FEN02812/GASAFE

Application Number	24/2387/HOT
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Contact Officer	Kerry McLaughlin

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 proposal property is a two-storey, terraced dwelling, located on the northern side of Lower Mortlake Road.

The application site is subject to the following planning constraints:

Area Susceptible to Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 75% - SSA Pool ID: 146
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Critical Drainage Area - Environment Agency	Richmond Town Centre and Mortlake [Richmond] / Ref: Group8_004 /
Increased Potential Elevated Groundwater	GLA Drain London
Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency	RoFSW Extent 1 In 1000 year chance
Surface Water Flooding (Area Less Susceptible to) - Environment Agency	
Surface Water Flooding (Area Susceptible to) - Environment Agency	
Throughflow Catchment Area (Throughflow and Groundwater Policy Zone)	Adopted: October 2020 , Contact: Local Plan Team
Village	Richmond and Richmond Hill Village
Village Character Area	South of Lower Mortlake Road - Area 4 Richmond & Richmond Hill Village Planning Guidance Page 22 CHARAREA06/04/01
Ward	North Richmond Ward

3. RELEVANT PLANNING HISTORY

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

Ref	Proposal	Decision
24/2325/PS192	Demolish existing rear extension and erect a new single storey rear extension.	Refused Permission

4. CONSULTATIONS CARRIED OUT

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

1 letter of observation has been received. This comment is summarised as follows:

- Concerns raised regarding the party-wall. - Officer Note: Party wall matters are not a material planning consideration. Attention is drawn to the requirements of the Party Wall Act 1996.

- Vibrations and Structural Disturbance - Officer Note: This is not a material planning consideration. Attention is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise and vibration on construction and demolition sites and the guidance contained in British Standard BS 5228-1:2009+A1:2014 - Noise and vibration control on construction and open sites.
- Drainage and Kitchen Exhausts

Neighbour amenity considerations are assessed under Section 7 in the report below.

5. AMENDMENTS

None.

6. 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

These policies can be found at:

https://assets.publishing.service.gov.uk/media/65819679fc07f3000d8d4495/NPPF_December_2023.pdf

London Plan (2021)

The main policies applying to the site are:

- D4 - Delivering good design
- D12 - Fire Safety
- SI12 - Flood risk management

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/london-plan-2021>

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
Amenity and Living Conditions	LP8	Yes	No
Flood Risk and Sustainable Drainage	LP21	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.

Where relevant to the application under consideration, this is addressed in more detail in the assessment below.

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP28	Yes	No
Amenity and Living Conditions	LP46	Yes	No
Flood Risk and Sustainable Drainage	LP8	Yes	No

These policies can be found at https://www.richmond.gov.uk/draft_local_plan_publication_version

Supplementary Planning Documents

House Extension and External Alterations
Richmond and Richmond Hill Village Plan

These policies can be found at:

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

7. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design/Visual Amenity
- ii Neighbour Amenity
- iii Flood Risk
- iv Biodiversity

Issue i - Design/Visual Amenity

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.

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 proposal seeks to erect a single-storey wraparound extension. The extension comprises a flat roof, incorporating 2x skylights within. The height of the extension will be sited comfortably below the cill of the first-floor level fenestration, as required under SPD. Given the proposed dimensions in comparison to the existing built form, the rear extension will not appear overly dominant and will appear subordinate to the original building.

The proposed exterior materials comprise brickwork to match that of the existing, with grey fibre glass flat roof system, this ensures the development will integrate satisfactorily with the original dwellinghouse. With regard to fenestration, the scheme proposes largely glazed, anthracite aluminium, bi folding doors to the rear elevation. The proposed fenestration retains window hierarchy, as outlined in the 'House Extensions and External Alterations' SPD. The contemporary materials assist in reducing the visual bulk and contribute to helping the extension appear an obvious addition to the main dwellinghouse. No objections are raised with regard to materials.

The amenity space in the rear garden would be reduced as a result of the proposal. However, the reduction will not be significant, when compared to the rear garden area and does not harm local character.

When viewed in the context of the neighbouring additions, it is considered that the proposed development would not harm the character and appearance of the surrounding area. Due to the siting, the works will not form views from the front of the dwelling/street scene, having a neutral impact on the public realm.

The proposed scheme is considered acceptable in terms of design/visual amenity. The proposal is not considered to detrimentally impact the character of the wider area or host building and therefore, is in line with the aims and objectives of policy LP1 of the Local Plan (2018), these policy objectives are taken forward in

publication local plan policy LP28, and relevant supplementary planning documents.

Issue ii - 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.

Both neighbouring properties, No's 81 & 85 Lower Mortlake Road, comprise side/rear extensions abutting the shared boundary line with the application site. The proposed extension would project no more than 3m beyond the rear elevation of either of these extensions, this is considered an acceptable projection which would satisfy the guidelines set out in the House Extensions and External Alterations SPD. It is considered that the proposed extension will not result in any undue overbearing, loss of light, visual intrusion or create a sense of enclosure to the occupiers of these properties.

As this proposal is at ground level only the proposal does not raise any issues in terms of loss of privacy.

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), these policy objectives are taken forward in publication local plan policy LP46, and relevant Supplementary Planning Documents/Guidance.

Issue iii - Flood Risk

Policy LP21 of the Local Plan states 'All developments should avoid or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere. These policy objectives are taken forward in publication local plan policy LP8.

The application site is situated within an area susceptible to surface water flooding.

A Flood Risk Assessment (FRA) has been provided as part of this application to comply with the requirements of LP21, which confirms the floor levels within the proposed development will be set no lower than existing levels and, flood proofing of the proposed development has been incorporated where appropriate.

Issue 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.

Other Matters

Fire Safety

The applicant has submitted a 'Reasonable Exception Statement' to address 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.

8. 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.

9. RECOMMENDATION

The proposal is consistent with the objectives of the above policies and guidance, and therefore it is recommended the scheme is approved without delay.

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): KM

Dated: 22/10/2024

I agree the recommendation:

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management / South Area Team Manager has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

South Area Team Manager:ND.....

Dated:23.10.2024.....