

## Application reference: 24/1689/FUL HAMPTON WARD

| Date application received | Date made valid | Target report date | 8 Week date |
|---------------------------|-----------------|--------------------|-------------|
| 04.07.2024                | 19.07.2024      | 13.09.2024         | 13.09.2024  |

**Site:**

18 Belgrade Road, Hampton, TW12 2AZ,

**Proposal:**

REPLACEMENT TIMBER WINDOWS TO GROUND FLOOR FLAT

**APPLICANT NAME**

MISS MBELO  
GROUND FLOOR FLAT  
18 Belgrade Road  
Hampton  
Richmond Upon Thames  
TW12 2AZ

**AGENT NAME**

Mrs ANGELA SMITH  
ANGLIAN HOME  
IMPROVEMENTS  
NATIONAL ADMINISTRATION  
CENTRE  
PO BOX 65  
NORWICH  
NR6 6EJ

**DC Site Notice:** printed on 26.07.2024 and posted on 02.08.2024 and due to expire on 23.08.2024

**Consultations:****Internal/External:****Consultee**

14D Urban D  
14D Urban D

**Expiry Date**

16.10.2024  
09.08.2024

**Neighbours:**

11 Belgrade Road, Hampton, TW12 2AZ, - 26.07.2024  
9 Belgrade Road, Hampton, TW12 2AZ, - 26.07.2024  
2 Harvey Drive, Hampton, TW12 2FB, - 26.07.2024  
Flat 2, 18 Belgrade Road, Hampton, TW12 2AZ, - 26.07.2024  
Flat 1, 18 Belgrade Road, Hampton, TW12 2AZ, - 26.07.2024  
Flat 4, 18 Belgrade Road, Hampton, TW12 2AZ, - 26.07.2024  
Flat 3, 18 Belgrade Road, Hampton, TW12 2AZ, - 26.07.2024  
20 Belgrade Road, Hampton, TW12 2AZ, - 26.07.2024  
16 Belgrade Road, Hampton, TW12 2AZ, - 26.07.2024

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

Status: REF Application: 81/0468  
Date: 10/06/1981 Conversion from 2 flats into 4 self-contained flats.

Development Management

Status: GTD Application: 81/0920  
Date: 19/10/1981 Alterations, conversion and use of property as four self-contained flats.

Development Management

Status: PCO Application: 24/1689/FUL  
Date: REPLACEMENT TIMBER WINDOWS TO GROUND FLOOR FLAT

Development Management

Status: RNO Application: 24/T0526/TCA  
Date: 07/08/2024 G1 - Conifers - remove due to it damaging the pavement and path, making it an unsafe place for pedestrians and wheelchair users.

Appeal

Validation Date: 13.06.2019 Appeal against  
Reference: 19/0099/AP/ENF **Appeal Allowed**

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Building Control

Deposit Date: 28.02.2007 Dwelling house New installation rewire or partial rewire New consumer unit  
Main/ supplementary equipotential bonding

Reference: 07/73195/NICEIC

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Building Control

Deposit Date: 30.07.2008 New consumer unit Special installation (electric floor/ ceiling heating garden  
lighting/ power ELV lighting generator) Special location (room containing  
bath or shower swimming pool sauna) Cooker Common area of block of flats  
Flat Kitchen Main/ supplementary equipotential bonding

Reference: 08/NIC01790/NICEIC

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Building Control

Deposit Date: 09.02.2016 Install replacement windows in a dwelling

Reference: 16/FEN00424/FENSA

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Building Control

Deposit Date: 02.08.2016 Install replacement window in a dwelling

Reference: 16/FEN01516/FENSA

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Building Control

Deposit Date: 01.06.2022 Circuit alteration or addition in a special location

Reference: 22/NAP00242/NAPIT

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Building Control

Deposit Date: 22.01.2024 Install a replacement consumer unit

Reference: 24/NAP00058/NAPIT

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Enforcement

Opened Date: 17.03.2016 Enforcement Enquiry

Reference: 16/0200/EN/UBW

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Enforcement

Opened Date: 06.10.2017 Enforcement Enquiry

Reference: 17/0521/EN/UBW

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|                                  |   |
|----------------------------------|---|
| <b>Application Number</b>        | <b>24/1689/FUL</b>                              |
| <b>Address</b>                   | 18 Belgrade Road Hampton TW12 2AZ               |
| <b>Proposal</b>                  | REPLACEMENT TIMBER WINDOWS TO GROUND FLOOR FLAT |
| <b>Contact Officer</b>           | GNI   |
| <b>Target Determination Date</b> | 16.10.24  |

## 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 semi-detached dwelling which has been converted into four flats. The subject site comprises the ground floor flat.

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

|   |
|---|
| Area Susceptible To Groundwater Flood - Environment Agency (Superficial Deposits Flooding - >= 50% <75% - SSA Pool ID: 395)         |
| Article 4 Direction Basements (Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018)                  |
| Community Infrastructure Levy Band (Low)  |
| Conservation Area (CA12 Hampton Village)  |
| Take Away Management Zone (Take Away Management Zone)   |
| Village (Hampton Village)   |
| Village Character Area (Hampton Village - Area 4 & Conservation Area 12 Hampton Village Planning Guidance Page 23 CHARAREA09/04/01) |
| Ward (Hampton Ward)   |

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

The proposed development comprises replacement timber windows to ground floor flat.

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

### Development Management

Status: GTD

Application:81/0920

Date:19/10/1981

Alterations, conversion and use of property as four self-contained flats

## 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        | <del>No</del> |
| Impact on Designated Heritage Assets    | LP3               | Yes        | <del>No</del> |
| Impact on Amenity and Living Conditions | LP8               | 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 |               |
|------------------------------------|-------------------------------|------------|---------------|
| Local character and design quality | 28                            | Yes        | <del>No</del> |
| Designated heritage assets         | 29                            | Yes        | <del>No</del> |
| Amenity and living conditions      | 46                            | Yes        | <del>No</del> |

## Supplementary Planning Documents

House Extension and External Alterations  
Residential Development Standards  
Village Plan - Hampton

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:

Hampton Village Conservation Area Statement  
Hampton Village 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

*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'.*

*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 windows are important features and an inappropriate choice can easily spoil an otherwise satisfactory design. In recent years there has been considerable growth in window replacement companies selling uPVC windows. Timber lasts longer and is always preferable because uPVC can never fully replicate the original appearance and is unsustainable.*

The proposed development comprises replacement timber windows to ground floor flat. The windows were proposed to be double glazed, contain trickle vents, seals and spacing bars which would have resulted in a chunkier look than the existing single glazed units.

Following feedback from Council's Heritage Specialist, the proposed scheme was amended to propose slimline double glazed-units for the front bay windows with concealed trickle vents, white seals and spacing bars and traditional detailing. The other windows which do not directly front Belgrade Road have retained the original proposed double glazed unit with concealed trickle vents, white seals and spacing. The revised plans have been reviewed by Council's Heritage Specialist and advised as acceptable.

Following the amendments to this application, the proposed works are considered acceptable with regard to policies LP1 and LP3 as supported by the Hampton Village Conservation Area Statement and accords with 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.*

The proposed works are for replacement windows only and as such are not anticipated to result in any additional amenity impacts.

## **iii Fire Safety**

A Fire Safety Strategy has not been submitted to the Council however, the applicant has confirmed that the windows will be installed will be FENSA registered. The applicant is advised that alterations to existing buildings should comply with the Building Regulations.

This permission is not a consent under Building Regulations for which a separate application should be made. A condition will be included to ensure this is adhered to on an ongoing basis. Overall, the scheme can therefore be considered consistent with this Policy D12 of the London Plan.

## **iv 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 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
- 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: .....17.10.24.....

**I agree the recommendation:**

Team Leader/Head of Development Management/Principal Planner - EL

Dated: 21/10/2024.....