

Application reference: 24/2297/LBC

SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
12.09.2024	17.09.2024	12.11.2024	12.11.2024

Site:

15 The Green, Richmond, TW9 1PX,

Proposal:

Change of covering of conservatory roof from lead sheeting to 'green' sedum roof.

APPLICANT NAME

Mr Robert Leigh
15 The Green
Station Approach
Richmond
Richmond Upon Thames
TW9 1PX
United Kingdom

AGENT NAME

Mr John Rich
15 MAZE ROAD
Kew Gardens
Richmond upon Thames
TW9 3DA
United Kingdom

DC Site Notice: printed on 18.09.2024 and posted on 27.09.2024 and due to expire on 18.10.2024**Consultations:****Internal/External:****Consultee**

21D Urban D

Expiry Date

02.10.2024

Neighbours:

-

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

Status: GTD

Date:29/08/2002

Application:02/T1333

Beech - Reduce And Re-shape Crown By 30

Development Management

Status: GTD

Date:29/08/2002

Application:02/T1334

Pear - Reduce And Re-shape Crown By 30

Development Management

Status: GTD

Date:19/05/2006

Application:06/0865/FUL

Change of use from office to single family dwelling house.

Development Management

Status: GTD

Date:15/01/2007

Application:06/0865/DD01

Details pursuant to condition U09448 (restriction on car parking permits) of planning permission 06/0865/FUL.

Development Management

Status: GTD

Date:07/08/2007

Application:07/2076/HOT

Demolition of external timber clad single storey twentieth century extensions and internal remodelling. Relocation of rear stairs in garden/basement and new fenestration.

<u>Development Management</u> Status: GTD Date:07/08/2007	Application:07/2078/LBC Demolition of external single storey timber clad twentieth century extension and internal remodelling. Relocation of rear stairs in garden/basement.
<u>Development Management</u> Status: GTD Date:21/11/2007	Application:07/2076/DD01 Details pursuant to condition LB12A (Archaeology) of planning application 07/2076/HOT.
<u>Development Management</u> Status: PDE Date:	Application:08/T0158/TCA T1; Beech - Remove two lowest small limbs on the east side and crown thin by 20%
<u>Development Management</u> Status: RNO Date:04/09/2009	Application:09/T0388/TCA T1 - Copper Beech - 20% crown reduction. Prune growth to clear adjacent parapet by 1-2m
<u>Development Management</u> Status: GTD Date:03/02/2011	Application:11/T0008/TCA T1 - Holly - Crown reduce by 25% and reshape
<u>Development Management</u> Status: RNO Date:26/06/2013	Application:13/T0317/TCA T1 - Beech - Rear Garden - Crown reduce by 20% to previous reduction points i.e by 3m T2 - Holly - Rear Garden - Crown reduce by 30% i.e by 2m and reshape
<u>Development Management</u> Status: REF Date:07/10/2013	Application:13/2981/HOT New single storey rear conservatory extension. Remodelling of front ground floor to form kitchen.Remodelling of front lower ground
<u>Development Management</u> Status: REF Date:07/10/2013	Application:13/2982/LBC New single storey rear conservatory extension. Remodelling of front ground floor to form kitchen.Remodelling of front lower ground floor to create bedroom and en-suite bathroom.
<u>Development Management</u> Status: REF Date:09/01/2014	Application:13/4166/HOT Construction of new conservatory in rear garden
<u>Development Management</u> Status: REF Date:09/01/2014	Application:13/4167/LBC Construction of new conservatory in rear garden
<u>Development Management</u> Status: REF Date:17/07/2014	Application:14/2159/HOT Construction of new conservatory in rear garden
<u>Development Management</u> Status: REF Date:17/07/2014	Application:14/2160/LBC Construction of new conservatory in rear garden
<u>Development Management</u> Status: RNO Date:11/12/2014	Application:14/T0925/TCA Rear of No 15 The Green, Richmond Beech - Crown reduce by 10% to previous reduction points i.e. by 1m Holly - Crown reduce by 15% i.e. by 1m and reshape
<u>Development Management</u> Status: RNO Date:21/12/2016	Application:16/T0860/TCA T1 - Beech - Reduce crown by approx. 2m
<u>Development Management</u> Status: GTD Date:19/12/2017	Application:17/3106/LBC Damp proofing to basement, lowering of part of the basement and alterations to the interior of the main house.

<u>Development Management</u> Status: GTD Date:17/04/2018	Application:18/0633/LBC Restoration of the front facade including repointing of the brickwork and restoration of the timber sliding sash windows (retrospective application).
<u>Development Management</u> Status: GTD Date:04/02/2019	Application:18/4049/LBC Converting an existing basement WC into shower room incorporating existing void under staircase
<u>Development Management</u> Status: WDN Date:01/07/2019	Application:19/1020/VRC 1) Minor material amendment to application 14/2159/HOT (construction of new conservatory in rear garden) by way of variation of condition 2 (approved plans) of appeal decision APP/L5810/A/14/2226696 to enlarge the conservatory and boundary wall and make alterations to fenestration
<u>Development Management</u> Status: WDN Date:01/07/2019	Application:19/1470/VRC Minor material amendment to application 14/2160/LBC (construction of new conservatory in rear garden) by way of variation of condition 2 (approved plans) of appeal decision APP/L5810/E/14/2226661 to enlarge the conservatory and boundary wall and make alterations to fenestration
<u>Development Management</u> Status: GTD Date:06/09/2019	Application:19/2202/LBC To enlarge the conservatory and wall boundary wall and make alterations to fenestration.
<u>Development Management</u> Status: GTD Date:06/09/2019	Application:19/2203/VRC Minor material amendments to application 14/2159/HOT (allowed on appeal) by way of variation of condition 2 (approved drawings) to allow for enlargement of conservatory, raising height of boundary wall and alterations to fenestration. Variation of condition 3 (materials) to include details submitted. Removal of condition 6 (archaeological work).
<u>Development Management</u> Status: GTD Date:24/02/2020	Application:19/3883/HOT Restoration and replacement of Front steps to Basement and Ground Floor Main Entrance
<u>Development Management</u> Status: GTD Date:24/02/2020	Application:19/3884/LBC Restoration and replacement of Front steps to Basement and Ground Floor Main Entrance
<u>Development Management</u> Status: RNO Date:17/04/2024	Application:24/T0214/TCA T1 - Trim approximately 1 m to suitable growth points leaving a finished height of approximately 6 Metres and width of 3 metres. T2 - Reduce all aspects by approx 0.5m. Shrub will stand at approximately 3 metres in height and 3 metres in width. T3 - reduce all aspects of crown by 2.0m. Approximate height after works will be 15m in height and 7 metres in width.
<u>Development Management</u> Status: PDE Date:	Application:24/2296/HOT Change of covering of conservatory roof from lead sheeting to 'green' sedum roof.
<u>Development Management</u> Status: PDE Date:	Application:24/2297/LBC Change of covering of conservatory roof from lead sheeting to 'green' sedum roof.

Appeal

Validation Date: 07.04.2014 Construction of new conservatory in rear garden
Reference: 14/0039/AP/REF

Appeal

Validation Date: 07.04.2014 Construction of new conservatory in rear garden
Reference: 14/0040/AP/REF

Appeal

Validation Date: 14.10.2014 Construction of new conservatory in rear garden
Reference: 14/0154/AP/REF **Appeal Allowed**

Appeal

Validation Date: 14.10.2014 Construction of new conservatory in rear garden
Reference: 14/0155/AP/REF **Appeal Allowed**

Building Control

Deposit Date: 02.11.2007 Internal alterations
Reference: 07/2352/IN

Building Control

Deposit Date: 07.06.2013 air conditioning system with associated controls
Reference: 13/BES00012/BESCA

Building Control

Deposit Date: 14.08.2015 Single storey rear extension to existing dwelling house
Reference: 15/1958/IN

Building Control

Deposit Date: 05.05.2016 Single storey rear extension and associated internal works to existing dwelling house
Reference: 16/0961/IN

Building Control

Deposit Date: 27.06.2019 Single storey rear extension with glazed rooflight.
Reference: 19/1045/RV

Building Control

Deposit Date: 19.10.2020 Install a gas-fired boiler Install an unvented hot water storage vessel
Reference: 20/FEN03404/GASAFE

Building Control

Deposit Date: 30.10.2020 Install a replacement consumer unit Install one or more new circuits
Partial rewire
Reference: 20/NIC02120/NICEIC

Building Control

Deposit Date: 25.02.2023 Partial rewire
Reference: 23/NIC00729/NICEIC

Enforcement

Opened Date: 01.09.2017 Enforcement Enquiry
Reference: 17/0457/EN/UBW

Application Number	224/2296/HOT
Address	15 The Green, Richmond, TW9 1PX
Proposal	Change of covering of conservatory roof from lead sheeting to green sedum roof
Target Determination Date	12.11.2024

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

The application site is located to the south east side of The Green in Richmond. The property is 3 storeys high plus roof accommodation shown by the front elevation dormer.

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

- Archaeology Priority
- Area susceptible to groundwater flood
- Article 4 directions
 - B1 to C3
 - Basement
- Richmond Green Conservation Area
- Key Office Area
- Grade II Listed Building
- Main centre boundary
- Risk of surface water flood
- Take away management zone
- Throughflow catchment area
- Richmond & Richmond Hill Village Planning Guidance

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises change of covering of conservatory roof from lead sheeting to 'green' sedum roof.

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 (2021)

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://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

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
Arcaheology	LP7		
Impact on Amenity and Living Conditions	LP8	Yes	No
Impact on 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.

Issue	Publication Local Plan Policy	Compliance	
		Yes	No
Flood risk and sustainable drainage	8	Yes	No
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

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:
Community Infrastructure Levy

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.

Determining applications affecting a Listed Building

Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant listed building consent for any works, or whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm.

To give effect to this duty decisions of the court have confirmed that a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given

this special statutory status. However, this does not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting planning permission where harm to a listed building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- I. Design and impact on heritage assets
- II. Impact on neighbour amenity
- III. Archaeology
- IV. Flood Risk
- V. Fire Safety
- VI. Biodiversity Net Gain

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.

Background

The site comprises a mid-terrace C18 townhouse, three storeys over basement and plus garret. A good example of an early brick and sashed London townhouse, with classical doorcase and fanlight. Good interior panelling and stair. It is of very high intrinsic significance.

Its setting as part of a remarkable set of some of London's earliest fashionable brick townhouses with an aspect over the old Green, London's largest, makes the substantial contribution of setting to significance.

Proposal

The proposal seeks to remove the existing lead roof and replace with a green roof.

There is no objection to the removal of the existing which is a modern addition that does not hold special interest or contribute to the significance.

The proposal would replace the lead with a 'green' sedum turf roof contained in a metal tray with gravel trim. This would provide a softer aspect from the upper floors of the property and would assist in differentiating between modern and historic fabric. It would not be visible in public street view. It would not change the current drainage arrangement falling to concealed downpipes.

Paragraph 199 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 202 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'. In this instance, the proposal preserves the special interest of the host listed building and preserves the character and appearance of the wider Conservation Area/

In view of the above, the proposal complies with the aims and objections of policies LP1 and LP3 of the Local Plan.

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 application site will remain in its current use and so will not result in noise or disturbance.

The proposal roof will not be significantly increased in height, nor will it be increased in footprint and so will not result in loss of light, sense of enclosure, visual intrusion or overbearing impacts to neighbouring occupiers.

The proposal does not result in additional lines of sight compared to that currently existing and so will not result in overlooking or loss of privacy to neighbouring occupiers compared with the existing on site situation.

Therefore, no objection is raised to the proposal in this regard.

iii Archaeology

Policy LP7 sets out that the Council will seek to protect, enhance and promote its archaeological heritage.

While the application site is located within a Tier II archaeological priority area, the proposal does not result in the excavation of previously undisturbed ground and so the proposal will not harm archaeological remains.

Therefore, no objection is raised to the proposal in this regard.

iv Flood risk

Policy LP21 sets out that all development is required to avoid or minimise contributing to all sources of flooding.

The application site is located within an area at susceptible to groundwater flood, throughflow catchment area critical drainage area, increase potential for elevated groundwater and at risk of flooding from surface water.

A flood risk assessment has been submitted.

As the proposal seeks to remove an impermeable surface with a permeable one, the proposal will not increase flood risk at this or surrounding sites.

Therefore, no objection is raised to the proposal in this regard.

v Fire Safety

Policy D12 of the London Plan requires all applications to contain a fire safety statement to address the criteria set out in Part A of this Policy and to demonstrate that fire safety has been considered at an early stage.

A fire safety strategy has been submitted which sets out that fire services can access the site from the street and that the assembly point is at the front of the house. The proposals do not affect the means of escape and smoke and heat detectors are present.

Therefore, no objection is raised to the proposal in this regard.

vi Biodiversity Net Gain

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 permission

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 YES NO

Case Officer (Initials):SG..... Dated:04/11/2024.....

I agree the recommendation:


Team Leader/Head of Development Management/Principal Planner

Dated: ...04/11/2024.....

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: